

LRA-Parks Conveyance

The Federal Lands-to-Parks Program assists public agencies to acquire surplus Federal land for public park and recreation use. The Federal Lands-to-Parks Program is authorized by the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 484, 203(k)(2)].

The program has two goals:

- 1) Provide opportunities for the public to participate in a variety of recreation activities, such as hiking, biking, camping, picnicking, cross-country skiing, snowmobiling, horseback riding, swimming, boating, and playing organized sports
 - 2) Protect and provide access to natural resource areas, including lakes, forests, rangeland, wetlands, open spaces, and beaches.
- This land is transferred to a public agency at no cost with the condition that it be used for parks and recreation in perpetuity.



10 U.S. Code § 2694a - Conveyance of surplus real property for natural resource conservation

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(a) AUTHORITY TO CONVEY.—The Secretary of a military department may convey to an eligible entity described in subsection (b) any surplus real property that—

- (1) is under the administrative control of the Secretary;
- (2) is suitable and desirable for conservation purposes;
- (3) has been made available for public benefit transfer for a sufficient period of time to potential claimants; and
- (4) is not subject to a pending request for transfer to another Federal agency or for conveyance to any other qualified recipient for public benefit transfer under the real property disposal processes and authorities under subtitle I of title 40.

(b) ELIGIBLE ENTITIES.—The conveyance of surplus real property under this section may be made to any of the following:

- (1) A [State](#) or political subdivision of a [State](#).
- (2) A nonprofit organization that exists for the primary purpose of conservation of natural resources on real property.

(c) REVERSIONARY INTEREST AND OTHER DEED REQUIREMENTS.—

- (1) The deed of conveyance of any surplus real property conveyed under this section shall require the property to be used and maintained for the conservation of natural resources in perpetuity. If the [Secretary concerned](#) determines at any time that the property is not being used or maintained for such purpose, then, at the option of the Secretary, all or any portion of the property shall revert to the United [States](#).
- (2) The deed of conveyance may permit the recipient of the property—
 - (A) to convey the property to another eligible entity, subject to the approval of the [Secretary concerned](#) and subject to the same covenants and terms and conditions as provided in the deed from the United [States](#); and
 - (B) to conduct incidental revenue-producing activities on the property that are compatible with the use of the property for conservation purposes.
- (3) The deed of conveyance may contain such additional terms, reservations, restrictions, and conditions as the [Secretary concerned](#) considers appropriate to protect the interests of the United [States](#).

(d) RELEASE OF COVENANTS.—

With the concurrence of the Secretary of Interior, the [Secretary concerned](#) may grant a release from a covenant included in the deed of conveyance of real property conveyed under this section, subject to the condition that the recipient of the property pay the fair market value, as determined by the [Secretary concerned](#), of the property at the time of the release of the covenant. The [Secretary concerned](#) may reduce the amount required to be paid under this subsection to account for the value of the natural resource conservation benefit that has accrued to the United [States](#) during the period the covenant was in effect, if the benefit was not taken into account in determining the original consideration for the conveyance.

(e) NOTICE AND WAIT REQUIREMENTS.—

The [Secretary concerned](#) may not approve of the reconveyance of real property under subsection (c) or grant the release of a covenant under subsection (d) until after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to [section 480 of this title](#), to the appropriate committees of Congress a notice of the proposed reconveyance or release.

(f) LIMITATIONS.—

The conveyance of real property under this section shall not be used as a condition of allowing any defense activity under any Federal, [State](#), or local permitting or review process. The [Secretary concerned](#) may make the conveyance, with the restrictions specified in subsection (c), to establish a mitigation bank, but only if the establishment of the mitigation bank does not occur in order to satisfy any condition for permitting military activity under a Federal, [State](#), or local permitting or review process.

(g) CONSIDERATION.—

In fixing the consideration for the conveyance of real property under this section, or in determining the amount of any reduction of the amount to be paid for the release of a covenant under subsection (d), the [Secretary concerned](#) shall take into consideration any benefit that has accrued or may accrue to the United [States](#) from the use of such property for the conservation of natural resources.

(h) RELATION TO OTHER CONVEYANCE AUTHORITIES.—

- (1) The [Secretary concerned](#) may not make a conveyance under this section of any real property to be disposed of under a base closure law in a manner that is inconsistent with the requirements and conditions of the base closure law.
- (2) In the case of real property on Guam, the [Secretary concerned](#) may not make a conveyance under this section unless the Government of Guam has been first afforded the opportunity to acquire the real property as authorized by [section 1 of Public Law 106-504 \(114 Stat. 2309\)](#).

(i) DEFINITIONS.—In this section:

- (1) The term “appropriate committees of Congress” has the meaning given such term in [section 2801 of this title](#).
- (2) The term “[Secretary concerned](#)” means the Secretary of a military department.
- (3) The term “[State](#)” includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Marianas, Guam, the Virgin Islands, and American Samoa.

(Added [Pub. L. 107-314, div. B, title XXVIII, §2812\(a\)\(1\)](#), Dec. 2, 2002, [116 Stat. 2707](#); amended [Pub. L. 109-163, div. A, title X, §1056\(a\)\(1\)](#), (b), Jan. 6, 2006, [119 Stat. 3438](#), 3439; [Pub. L. 109-364, div. A, title X, §1071\(a\)\(22\)](#), Oct. 17, 2006, [120 Stat. 2399](#); [Pub. L. 111-383, div. B, title XXVIII, §2803\(a\)](#), Jan. 7, 2011, [124 Stat. 4458](#); [Pub. L. 115-91, div. B, title XXVIII, §2811\(h\)](#), Dec. 12, 2017, [131 Stat. 1849](#).)

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CLARK COUNTY
WASHINGTON

January 15, 2003

Mr. J. W. Whitacker
Deputy Assistant Secretary of the Army (Installations and Housing)
Room 3E475
110 Army Pentagon
Washington, D.C. 20310


Dear Mr. Whitacker:

I am writing on behalf of Clark County to request undertaking an Economic Development Conveyance (EDC) for Camp Bonneville. As you know Clark County is committed to undertaking a Finding of Suitability for Early Transfer (FOSET) with the Army and has determined that an EDC is the appropriate transfer mechanism for Camp Bonneville.

The County is currently completing a reuse plan to support the EDC and will be submitting a draft copy to the Army by January 17, 2003. The final reuse plan will be completed on February 28, 2003.

I look forward to working with the Army for the completion of the early transfer of Camp Bonneville.

Sincerely,


Judie Stanton, Commissioner
Board of County Commissioners



proud past, promising future

CLARK COUNTY
WASHINGTON

BOARD OF CLARK COUNTY COMMISSIONERS

Craig A. Pridemore • Betty Sue Morris • Judie Stanton

RECEIVED

SEP - 2 2004

Prosecuting Attorney
Civil Division

September 2, 2004

Mr. Joseph W. Whitaker
DASA (Installations and Housing)
Department of the Army Office of the Assistant Secretary (Installations and Environment)
110 Army Pentagon
Washington, DC 20310-0110
Room 3E475

RE: Camp Bonneville

Dear Mr. Whitaker,

I am writing this letter as a follow up to the recent conversations that the county and Army have had concerning Camp Bonneville. It is our understanding that the Army is of the opinion that it is suitable and desirable to transfer Camp Bonneville to Clark County for conservation purposes. The county is interested in pursuing this opportunity. The following is our preliminary thinking outlining how this conveyance might occur.

Preliminary Phase

Army and County negotiate a memorandum of agreement regarding the conservation conveyance process. The MOA will outline the parties' roles and responsibilities in the conveyance process.

After MOA is executed, County will issue a RFP for the selection of a conservation partner to participate in the conservation conveyance.

Negotiation Phase

County and Conservation Partner negotiate the terms of a contract related to the terms and conditions of the Conservation Partner's participation in the conveyance process.

Conservation Partner negotiates the terms of an ESCA (to include DNR property) subject to the approval of the County.

Conservation Partner negotiates the terms of a Prospective Purchaser Consent Decree (or similar instrument) with Department of Ecology

Mr. Joseph W. Whitaker
September 2, 2004
Page 2 of 2

County negotiates agreement with Department of Ecology that no enforcement action will be taken against County as a result of conservation conveyance.

Closing Phase

Simultaneous execution of documents transferring title to County; ESCA; County and Conservation Partner agreement; Conservation Partner and Ecology PPCD; County and Ecology agreement; County then transfer title to Conservation Partner.

Cleanup Phase

Conservation Partner conducts cleanup of Camp Bonneville.

Final Phase

Conservation Partner transfers title to County.

The foregoing outlines the major points of the conservation conveyance from the County's perspective. We welcome the Army's input as to how it believes this conveyance might best be facilitated. If you have any questions about the process outlined in this letter, please contact Bronson Potter at the Clark County Prosecuting Attorney's Office. The following is his contact information:

E. Bronson Potter
Senior Deputy Prosecuting Attorney
Clark County Prosecutor's Office – Civil Division
PO Box 5000
Vancouver WA 98666-5000
Tele: (360) 397-2478
Fax: (360) 397-2184
E-mail: Bronson.Potter@clark.wa.gov

Sincerely,


Judie Stanton, Commissioner

c: Janet Menig



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
INSTALLATIONS AND ENVIRONMENT
110 ARMY PENTAGON
WASHINGTON DC 20310-0110

04 OCT 2004

Commissioner Judie Stanton
Board of Clark County
1013 Franklin Street
P.O. Box 5000
Vancouver, WA 98666-5000

Dear Commissioner Stanton:

Thank you for your letter dated September 2, 2004 in which you outlined your proposal for a conservation conveyance. The Army is currently evaluating options to complete the environmental remediation and disposal of the former Camp Bonneville.

Under the conservation conveyance legislation, 10 U.S.C. 2694a, the Army may transfer certain conservation property to a non-profit conservation organization or political subdivision of a State. As we discussed in our telephone conversation of July 1, 2004, the Army is receptive to a non-competitive conservation conveyance of property at Camp Bonneville directly to Clark County, provided that the deed contains perpetual conservation covenants and a reversionary clause.

With regard to the environmental remediation of the property, your letter mentions the negotiation of "an ESCA," and a subsequent conveyance of the property to a "Conservation Partner" who would perform environmental services pursuant to an Environmental Services Cooperative Agreement (ESCA). However, based on several recent discussions with the Washington Department of Ecology concerning the cleanup of the property and, after consideration of the statutory limitations placed on the duration of ESCA(s), the Army has decided to retain the cleanup of Camp Bonneville rather than enter into an ESCA.

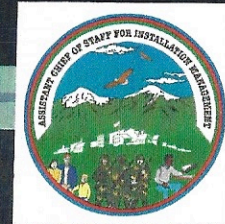
If you would like to further discuss the conservation conveyance process, you may contact Mr. Glynn Ryan, Chief of the Atlanta, Georgia Army BRAC Field Office, by phone at (404) 464-2269. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph W. Whitaker".

Joseph W. Whitaker
Deputy Assistant Secretary of the Army
(Installations and Housing)
OASA(I&E)

cc:
Honorable Brian Baird



Camp Bonneville Conservation Conveyance

Ron Blackledge, BRAC Division
Lucy Liew, CALIBRE
05 May 2005



Agenda

- I. Conservation Conveyance
- II. Early Transfer (ET)
- III. Environmental Services Cooperative Agreement (ESCA)
- IV. Path Forward



Conservation Conveyance

10 U.S.C. Section 2694a

The Army has the authority to convey property to an eligible entity who will use and maintain the property for the conservation of natural resources.

Eligible Entities:

1. State or political subdivision of a State; or
2. Nonprofit organization that exists for the primary purpose of conservation of natural resources

Conservation Conveyance can be used in conjunction with:

1. Early Transfer Authority
2. Environmental Services Cooperative Agreement (ESCA)



Conservation Conveyance

- The County may convey the property to another eligible entity subject to the approval of the Secretary of Army.
- The property reverts to the United States government if the transferee fails to maintain the property for conservation purposes.
- DoD may release the transferee from the requirement to use the property for conservation purposes if the transferee pays fair market value for the property.



Early Transfer Authority

- Statutory Authority
 - CERCLA 120(h)(3)(C) authorizes the transfer of property prior to the completion of all response actions
- Requirements:
 - Approval by the Governor
 - Finding that the property is suitable for intended re-use
 - Response actions are assured
 - Delivery of CERCLA Covenant upon completion of response actions
 - Parties commit to a timeline to transfer property



Key Early Transfer Documents

- Letter from County requesting Early Transfer
- Covenant Deferral Request Package
 - *Covenant Deferral Request Letter*
 - *Finding of Suitability to Early Transfer (FOSET)*
 - *Public Comments and Response Summary*
 - *Prospective Purchaser Consent Decree (PPCD)*
(County and WDOE)
 - *Deed with Deferred CERCLA Covenant*



ESCA

- Obligates funding of negotiated budget for identified environmental services
- Transfers cleanup responsibility from the Army to the County
 - Mutually agreed upon Technical Specifications and Requirements Statement (TSRS)
 - Agreed upon responsibilities and obligations
 - Entity agrees to achieve remediation completion
 - Technical Assurances
 - Entity must provide assurance that it has the technical capability to complete restoration
 - Financial Assurances
 - Remediation of the property must not be dependant upon the financial success of the redevelopment plan
 - Entity must obtain environmental insurance that indemnifies the Army
- Term limit of two years for each ESCA



ESCA

■ **Obligations of Recipient Entity:**

- Reach performance based objectives under Army oversight in coordination with TSRS
- Complete remediation such that the CERCLA covenant may be provided
- Remediate in accordance with applicable Federal & State laws
- Comply with the PPCD
- Acquire environmental insurance

■ **Army's Obligations:**

- Provide funds agreed upon in accordance with DoD Grant and Agreement Regulations
- Oversight of Restoration Effort
- Army Retained Conditions, if applicable
- Grant CERCLA Covenant



Other Agreements Accompanying an ESCA

Prospective Purchaser Consent Decree / Consent Agreement

- Agreement between the County and WDOE
- Provides assurances that the environmental restoration will be conducted in a manner that is protective of human health and the environment
- Requires a plan with a timeline for the environmental actions

Memorandum of Agreement

- Agreement between the Army and the WDOE
- Provides assurances to WDOE that all remedial action necessary to protect human health and the environment will be taken after the Early Transfer.



Summary of Benefits of Early Transfer and ESCA

- Immediate obligation of funds for cleanup
- Environmental Insurance
 - Provides additional assurances against cost overruns through insurance provider
- Integration of cleanup and redevelopment
 - Allows for efficiencies not available under typical scenario, saving time and money
- Earlier Disposal of Property to Transferee
 - Economic benefit of redevelopment to the community
- Army can relinquish some administrative requirements and so is a win-win situation for the County and the Army



Path Forward

Early Transfer

- Draft FOSET - Army (April – September 2005)
- Public Review and Response Summary
- CDR Package (April 2005 – January 2006)
- Governor Approval (January – February 2006)

ESCA

- County contacts DCC-W to begin application process
- Develop a Coordinated Environmental Cost Study - Army and County (May – Aug 2005)
- Draft ESCA and TSRS (May – December 2005)
- Draft a Prospective Purchaser Consent Decree (PPCD) (August – December 2005)
- Draft MOA between the Army and WDOE (September – December 2005)



Path Forward

- Withdrawal of EDC Request

- Conservation Partner Selection
 - County selects an eligible entity as a Conservation Partner
 - Army approves County's selection



Conclusion

- The Army, County, and WDOE must work cooperatively to complete the conservation conveyance with an ESCA.

- Questions?

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**MEMORANDUM OF AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
CLARK COUNTY, WASHINGTON
FOR
EARLY TRANSFER
OF
FORMER CAMP BONNEVILLE, WASHINGTON**

THIS MEMORANDUM OF AGREEMENT (hereinafter "Agreement") is entered into this 3RD day of OCTOBER, 2006, by and between the DEPARTMENT OF THE ARMY (hereinafter the "Army"), acting by and through the Deputy Assistant Secretary of the Army (Installations and Housing), and CLARK COUNTY (hereinafter the "County"), a political subdivision of the State of Washington, acting by and through the Chair, Board of County Commissioners.

WITNESSETH THAT:

WHEREAS, pursuant to the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510), as amended, the military installation formerly known as Camp Bonneville, Washington, closed on 30 September 1996; and

WHEREAS, the County has been officially recognized as the Local Redevelopment Authority by the Secretary of Defense through the Office of Economic Adjustment and has been authorized to plan the civilian reuse of the former Camp Bonneville in accordance with the reuse plan adopted by the County; and

WHEREAS, the former Camp Bonneville, consisting of 3,020 acres of land owned by the United States of America in fee simple and 820 acres of land leased by the Army from the State of Washington, is under the administrative control of the Army and has been determined by the Army to be surplus property; and

WHEREAS, the former Camp Bonneville is suitable and desirable for conservation purposes; and

WHEREAS, the former Camp Bonneville has been made available for public benefit transfer for a sufficient period of time to potential claimants and is not subject to a pending request for transfer to another Federal agency or for conveyance to any other qualified recipient other than the County for public benefit transfer under the real property disposal processes and authorities under subtitle I of title 40, United States Code; and

WHEREAS, the Army desires to convey and the County desires to accept the conveyance of the fee simple interest held by the United States of America in the former Camp Bonneville for conservation purposes pursuant to 10 U.S.C. § 2694a prior to the completion of all remedial

1 action necessary to protect human health and the environment with regard to hazardous
2 substances remaining on the former Camp Bonneville; and
3

4 WHEREAS, the Army intends to enter into an agreement with the State of Washington
5 Department of Natural Resources (hereinafter the "WDNR") providing for the early termination
6 of Army Lease No. DACA67-01-177 upon the lease of the same premises by the County from
7 the WDNR for the purpose of performing environmental response and/or corrective actions
8 required under the Environmental Services Cooperative Agreement between the Army and the
9 County dated July 28, 2006 (hereinafter the "ESCA"), as modified, and pending legislative
10 authorization for the WDNR to transfer the fee simple interest in said property to the County;
11 and
12

13 WHEREAS, the Army has documented the environmental condition of the former Camp
14 Bonneville and identified the land use controls necessary to protect human health and the
15 environment upon said early transfer in the Finding of Suitability for Early Transfer (hereinafter
16 "FOSET"), Camp Bonneville, Clark County, Washington, dated September 14, 2006; and
17

18 WHEREAS, the Army is prepared to demonstrate to the Governor of the State of
19 Washington that the former Camp Bonneville is suitable for transfer for the use intended by the
20 County and that said use is consistent with protection of human health and the environment and
21 intends to request deferral of the covenant set forth at 42 U.S.C. § 9620(h)(3)(A)(ii)(I); and
22

23 WHEREAS, the Army intends to provide the response action assurances required by
24 42U.S.C. § 9620(h)(3)(C)(ii)(I) and (II) in the deed conveying the fee simple interest held by the
25 United States of America in the former Camp Bonneville to the County and the response action
26 assurances required by 42 U.S.C. § 9620(h)(3)(C)(ii)(III) and (IV) in this Agreement; and
27

28 WHEREAS, the Army has provided notice, by publication in a newspaper of general
29 circulation in the vicinity of the former Camp Bonneville, of the proposed transfer and of the
30 opportunity for the public to submit, within a period of not less than 30 days after the date of the
31 notice, written comments on the suitability of the former Camp Bonneville for transfer; and
32

33 WHEREAS, the deferral of the covenant set forth at 42 U.S.C. § 9620(h)(3)(A)(ii)(I) and the
34 transfer of the former Camp Bonneville will not substantially delay any necessary response
35 action at the former Camp Bonneville;
36

37 NOW, THEREFORE, for and in consideration of the mutual promises, covenants and
38 releases set forth herein, the Army and the County agree as follows:
39

40 SECTION 1

41 CONVEYANCE OF PROPERTY

42
43
44 1.1 The Army hereby agrees to convey to the County, and the County hereby agrees to accept,
45 approximately 3,020 acres of land at the former Camp Bonneville, Washington, in fee simple,
46 including all buildings, facilities, utilities, infrastructure and other improvements located thereon,

1 as depicted on Exhibit "A", attached hereto and made a part hereof (hereinafter "the Property"),
2 subject to existing easements, in accordance with the terms and conditions of this Agreement and
3 the deed conveying title to the Property, together with certain related personal property more
4 particularly described in Exhibit "B" attached hereto and made a part hereof, to be either
5 abandoned in place or donated to the County in accordance with 41 C.F.R. § 102-36.320.
6

7 1.2 The Army and the County agree to use their best efforts to complete the conveyance
8 provided for herein on or before October 6, 2006.
9

10 1.3 The County has provided the Army a legal description of the Property that is suitable for
11 incorporation in a quitclaim deed to be recorded in the local public land records and that is
12 satisfactory to the Army. The County shall be responsible for the accuracy of said legal
13 description and the Army assumes no liability arising from, or related to, any inaccuracies in said
14 legal description.
15

16 1.4 The Army shall convey the Property to the County by quitclaim deed in substantially the
17 form shown in Exhibit "C", attached hereto and made a part hereof.
18

19 1.5 Subject to the representations made by the Army herein, and except for any representations
20 or warranties required by the Comprehensive Environmental Response, Compensation and
21 Liability Act of 1980 (hereinafter "CERCLA"), as amended, the Property and related personal
22 property shall be conveyed by the Army to the County in "as is, where is" condition, without any
23 representation or warranty whatsoever by the Army concerning the state of repair or condition of
24 said Property and related personal property or its fitness for a particular purpose.
25

26 1.6 The County shall be responsible for all costs the County incurs in connection with the
27 conveyance of the Property and associated personal property including, but not limited to, survey
28 costs; title insurance premiums; real estate transfer taxes and recording fees; and releases of
29 liens, if any.
30

31 1.7 Upon the execution by the Army and the WDNR of an agreement providing for the early
32 termination of Army Lease No. DACA67-01-177, the County agrees to enter into a lease with
33 the WDNR of the property described in Exhibit "D", attached hereto and made a part hereof, for
34 the purpose of performing such environmental response and/or corrective actions as are required
35 to be performed pursuant to the ESCA and such other purposes as the County and the WDNR
36 may agree upon.
37

38 1.8 In accordance with 42 U.S.C. § 9620(h)(3)(C)(ii)(I) and (II), the Army hereby provides an
39 assurance that the deed whereby the Army conveys the Property to the County shall contain any
40 necessary restrictions on the use of the Property necessary to ensure:
41

42 1.8.1 the protection of human health and the environment; and
43

44 1.8.2 that required remedial investigations, response action, and oversight activities will
45 not be disrupted.
46

1 1.9 In accordance with 42 U.S.C. § 9620(h)(3)(C)(ii)(III), the Army hereby provides an
2 assurance that it shall ensure, through the ESCA, that all necessary response action will be taken
3 with regard to a release or threatened release of a hazardous substance for which the Army is
4 potentially responsible under CERCLA in accordance with the schedules for investigation and
5 completion of all necessary response action approved by the Washington State Department of
6 Ecology (hereinafter “WDOE”) pursuant to the Prospective Purchaser Consent Decree to be
7 entered into between the County, the Bonneville Conservation, Restoration, and Renewal Team,
8 LLC (hereinafter the “BCRRT”) and the WDOE.

9
10 1.10 In accordance with 42 U.S.C. § 9620(h)(3)(C)(ii)(IV), the Army hereby provides an
11 assurance that it will submit a budget request to the Director of the Office of Management and
12 Budget (hereinafter “OMB”) that adequately addresses schedules for investigation and
13 completion of all necessary response action, subject to Congressional authorizations and
14 appropriations.

15 SECTION 2

16 CONSIDERATION FOR CONVEYANCE

17
18
19 2.1 The Army hereby agrees to convey the Property described in Exhibit “A” to the County at
20 no monetary cost for and in consideration of the benefit that the Army anticipates will accrue to
21 the United States from the obligation that the County hereby accepts to use and maintain the
22 Property for the purposes of conservation of natural resources in perpetuity.

23
24 2.2 If the Army, in its sole discretion, determines at any time that the Property is not being used
25 or maintained for the said purposes, then, at the option of the Army, title to all or any portion of
26 the Property shall revert to the United States.

27
28 2.3 The Army hereby agrees to abandon in place or transfer ownership of the related personal
29 property described in Exhibit “B” to the County without consideration

30 SECTION 3

31 REVENUE-PRODUCING ACTIVITIES

32
33
34
35 Pursuant to 10 U.S.C. § 2694a(c)(2)(B), the Army, in its sole discretion, has determined
36 that the revenue-producing activities identified in the FY 2007 Camp Bonneville Structure-Based
37 Forest Management Plan are incidental to, and compatible with, the use and maintenance of the
38 Property for natural resources conservation purposes. It is hereby agreed that the County shall
39 have full authority to conduct said revenue-producing activities on the Property upon conveyance
40 of the Property to the County by the Army to conduct such other incidental revenue-producing
41 activities on the Property as are compatible with the use of the Property for natural resource
42 conservation purposes. Revenue produced by such activities shall be used for environmental
43 remediation, forest management and the operation and maintenance of the Property for park
44 purposes. The County’s receipt of such revenue shall not modify either the County’s or the
45 Army’s rights or obligations under the ESCA.

1 SECTION 4

2
3 CONVEYANCE TO ANOTHER ELIGIBLE ENTITY

4
5 4.1 The County has furnished the Army sufficient evidence to allow the Army to determine, in
6 its sole discretion, that the BCRRT LLC is a nonprofit organization formed under the laws of the
7 State of Washington that exists for the primary purpose of conservation of natural resources on
8 real property; and is an eligible entity under 10 U.S.C. § 2694a(b)(2) to take title to the Property
9 by conveyance from the County.

10
11 4.2 In reliance upon said evidence relating to the BCRRT LLC furnished to the Army by the
12 County, the Army shall approve, subject to the absence of any objection being interposed by one
13 or more of the appropriate committees of Congress, the conveyance of the Property by the
14 County to the BCRRT LLC and, subsequently, by the BCRRT LLC to the County, as soon as
15 practicable after the expiration of a period of 21 days from the date the notification required by
16 10 U.S.C. § 2694a(e) is received by the appropriate committees of Congress; provided, any such
17 conveyance shall be subject to the same covenants and terms and conditions as set forth in the
18 deed from the Army to the County.

19
20 SECTION 5

21 ENVIRONMENTAL SERVICES

22
23
24 The Army acknowledges that the County intends to contract with one or more third
25 parties to perform environmental services called for by the ESCA. Pursuant to Section 5.2 of the
26 ESCA, the Army acknowledges the hiring of the BCRRT LLC by the County to perform such
27 environmental services. This acknowledgment, however, shall not be considered an assignment
28 of the County's responsibilities under the ESCA and shall not be considered to be a release or
29 waiver of any of the rights that the Army has to require the County to perform its obligations
30 under the ESCA.

31
32 SECTION 6

33 UTILITIES

34
35
36 The Army shall bear the cost of utilities serving the Property including, but not limited to,
37 gas, water, sewer, and electric power, until the Property is conveyed by the Army to the County
38 and the County shall assume the cost of said utilities as of the said date of conveyance.

39
40 SECTION 7

41 ENVIRONMENTAL CONDITION OF THE PROPERTY

42
43
44 7.1 The County hereby acknowledges the receipt and opportunity to review the *Finding of*
45 *Suitability for Early Transfer (FOSET), Camp Bonneville, Clark County, Washington*, dated
46 September 14, 2006, and the *Final Environmental Baseline Survey (EBS) Report, Camp*

1 *Bonneville, Washington*, dated January 1997, containing and/or referencing such information as
2 is available regarding the environmental condition of the Property including munitions and
3 explosives of concern, hazardous substances known to have been stored for one year or more, or
4 released, or disposed of on the Property, and cultural resources located thereon.

5
6 7.2 The term “munitions and explosives of concern” means military munitions that may pose
7 unique explosives safety risks, including:

8
9 7.2.1 “unexploded ordnance” as defined in 10 U.S.C. § 101(e)(5);

10
11 7.2.2 “discarded military munitions” as defined in 10 U.S.C. § 2710(e)(2); and

12
13 7.2.3 “munitions constituents” as defined in 10 U.S.C. § 2710(e)(3), present in high
14 enough concentrations to pose an explosive hazard.

15
16 7.3 The County shall comply with the environmental covenants, conditions and restrictions
17 contained in the deed conveying the Property to the County and the Draft Programmatic
18 Agreement among United States Army, Washington State Historic Preservation Officer, and
19 Advisory Council on Historic Preservation, dated January 1998, and any amendments thereto.

20
21 SECTION 8

22
23 PERMITS

24
25 8.1 Except as may otherwise be provided in the ESCA, the Army shall not transfer any permits
26 it may hold to the County upon conveyance of the Property. The County and/or its assigns shall
27 be solely responsible for obtaining, at its/their sole cost and expense, any permits that may be
28 required to implement response or corrective actions on the Property and to operate and maintain
29 the Property for natural resources conservation purposes and compatible incidental revenue-
30 producing activities.

31
32 8.2 The Army shall cooperate with the County as necessary to obtain any permits the County
33 may be required to obtain provided that the County shall discharge any expense and bear
34 responsibility for all costs and liabilities of the Army in connection therewith.

35
36 SECTION 9

37
38 RELATIONSHIP OF PARTIES

39
40 9.1 In the exercise of their respective rights and obligations under this Agreement, the Army
41 and the County each act in an independent capacity and neither is to be considered the officer,
42 agent, partner or employee of the other.

43
44 9.2 Nothing in this Agreement shall render or shall be construed to render either of the parties
45 hereto liable to any third party for debts or obligations of the other party hereto.

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SECTION 10

COVENANT AGAINST CONTINGENT FEES

The County warrants that no person or selling agency has been employed or retained to solicit or secure the Agreement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or established commercial or selling agencies retained by the County for the purpose of securing business. For breach or violation of this warranty, the Army shall have the right to annul this Agreement without liability or, in its sole discretion, to require the County to pay the full amount of such commission, percentage, brokerage, or contingent fee.

SECTION 11

OFFICIALS NOT TO BENEFIT

No member of, or delegate to, the Congress, nor any resident commissioner, shall be admitted to any share or part of this Agreement, or to any benefit to arise therefrom.

SECTION 12

TERMINATION OR SUSPENSION

12.1 This Agreement shall terminated at the option of the Army for good cause shown:

12.1.1 Upon the County's loss of status as a Department of Defense-approved local redevelopment authority; or

12.1.2 Upon the County's inability or refusal to take title to the Property, or any portion thereof, as required herein.

12.1.3 Upon the failure to transfer Camp Bonneville to the County by October 6, 2006.

12.2 In the event a party hereto fails to observe or perform any of its obligations under this Agreement, after having been provided written notice and failing to cure any default within thirty (30) business days, the other party will be entitled to terminate this Agreement and exercise any and all of the remedies for breach which are provided for herein, as well as any other remedies to which the party is entitled under the law or in equity.

12.3 The termination of this Agreement shall have no effect on the continuing obligations of the parties as provided for in any deeds of conveyance or in any other documents as may be otherwise provided for herein.

1 SECTION 13

2
3 NOTICES

4
5 13.1 Any notice, request, demand, or other communication required or permitted to be given
6 under this Agreement shall be in writing and shall be deemed to have been given if either
7 delivered by hand or mailed by first-class, registered or certified mail, postage pre-paid, and
8 addressed as follows:

9
10 If to the County:

11
12 Chair, Board of Clark County Commissioners
13 P.O. Box 5000
14 Vancouver, WA 98666-5000
15

16
17
18 If to the Army:

19
20 U.S. Army Engineer District, Seattle
21 Attn: CENWS-RE-RO
22 4735 E. Marginal Way S.
23 Seattle, WA 98134-2385
24

25 13.2 A party may change the address to which such communications are to be directed by
26 giving written notice to the other party in the manner provided in this Section.
27

28 13.3 Any notice, request, demand, or other communication made pursuant to this Section shall
29 be deemed to have been received by the addressee at the earlier of such time as it is actually
30 received or seven business days after it is mailed.
31

32 SECTION 14

33
34 CONSTRUCTION OF AGREEMENT

35
36 The Army and the County have each participated in the drafting of this Agreement in
37 consultation with legal counsel. The language of this Agreement, therefore, shall not be
38 presumptively construed in favor of, or against, either party hereto.
39

40 SECTION 15

41
42 MERGER

43
44 This Agreement, together with the ESCA, contains the entire agreement between the
45 parties hereto regarding the conveyance of the Property and related personal property to the
46 County and any agreement hereafter made shall not operate to change, modify, or discharge this

1 Agreement, in whole or in part, unless that agreement is in writing and signed by the party
2 sought to be charged with it.

3
4 SECTION 16

5
6 SEVERABILITY

7
8 If any provision of this Agreement is declared or found to be illegal, unenforceable or
9 void by a court of competent jurisdiction, then the validity of the remaining provisions of this
10 Agreement shall in no way be affected, prejudiced, or disturbed and shall remain enforceable to
11 the fullest extent permitted by law.

12
13 SECTION 17

14
15 WAIVER

16
17 The failure of either party to insist in any one or more instances upon strict performance
18 of any of the terms, covenants, or conditions of this Agreement shall not be construed as a
19 waiver or a relinquishment of the party's rights to the future performance of any such terms,
20 covenants, or conditions by the other party, in accordance with the terms hereof.

21
22 SECTION 18

23
24 ASSIGNMENT

25
26 Except as otherwise provided herein, the County may not transfer or assign its rights and
27 interests under this Agreement without the written consent of the Army. The rights and
28 responsibilities contained in this Agreement inure to the benefit of, and are binding upon, the
29 parties hereto, their successors, and assigns. Nothing in this Agreement shall otherwise be
30 construed as creating any rights of enforcement by any person or entity that is not a party hereto,
31 nor any rights, interest, or third party beneficiary status for any entity or person other than the
32 parties hereto.

33
34 SECTION 19

35
36 OBLIGATIONS OF FUTURE APPROPRIATIONS

37
38 The Army's obligation to pay or reimburse any money or provide any services under this
39 Agreement is subject to the availability of funds appropriated for the purpose to the Army and
40 nothing in this Agreement shall be interpreted to require obligations or payments by the United
41 States in violation of the Anti-Deficiency Act (31 U.S.C. § 1341).

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SECTION 20

CONFIDENTIALITY

To the extent permitted by the laws governing each party, the parties agree to maintain the confidentiality of exchanged information when requested to do so by the providing party.

SECTION 21

DISPUTE RESOLUTION

21.1 As a condition precedent to a party bringing any suit for breach of this Agreement, that party must first notify the other party in writing of the nature of the purported breach and seek in good faith to resolve the dispute through negotiation. If the parties cannot resolve the dispute through negotiation, they may agree to a mutually acceptable method of non-binding alternative dispute resolution with a qualified third party acceptable to both parties. The parties shall each pay 50 percent of any costs for the services provided by such a third party as such costs are incurred. The existence of a dispute shall not excuse the parties from performance pursuant to this Agreement.

21.2 The Army and the County agree that this Agreement may be enforceable in a Federal court of law and consent to being subject to the jurisdiction of the U.S. District Court for the Western District of Washington.

SECTION 22

CAPACITY OF SIGNATORIES

Each of the persons signing this Agreement in a representative capacity represents and warrants that he or she is an authorized representative of the entity for which he or she has signed and that the execution of this Agreement by him or her on behalf of such entity has been duly authorized.

SECTION 23

EXECUTION IN DUPLICATE

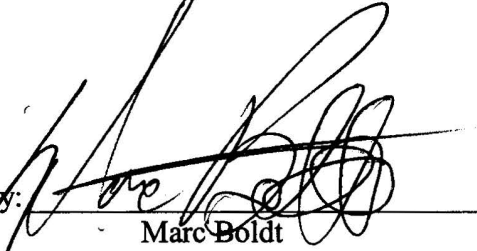
This Agreement is executed in two (2) counterparts, each of which is deemed an original of equal dignity with the other and which is deemed one and the same instrument as the other.

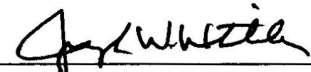
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IN WITNESS WHEREOF, the parties hereto have executed this Agreement, which shall be effective upon the date first above written.

CLARK COUNTY

DEPARTMENT OF THE ARMY

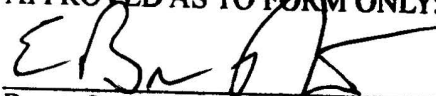
By: 
Marc Boldt
Chair, Board of County Commissioners

By: 
Joseph W. Whitaker
Deputy Assistant Secretary of the Army
(Installations and Housing)
OASA(I&E)

Date: 10-3-06

Date: September 29, 2006

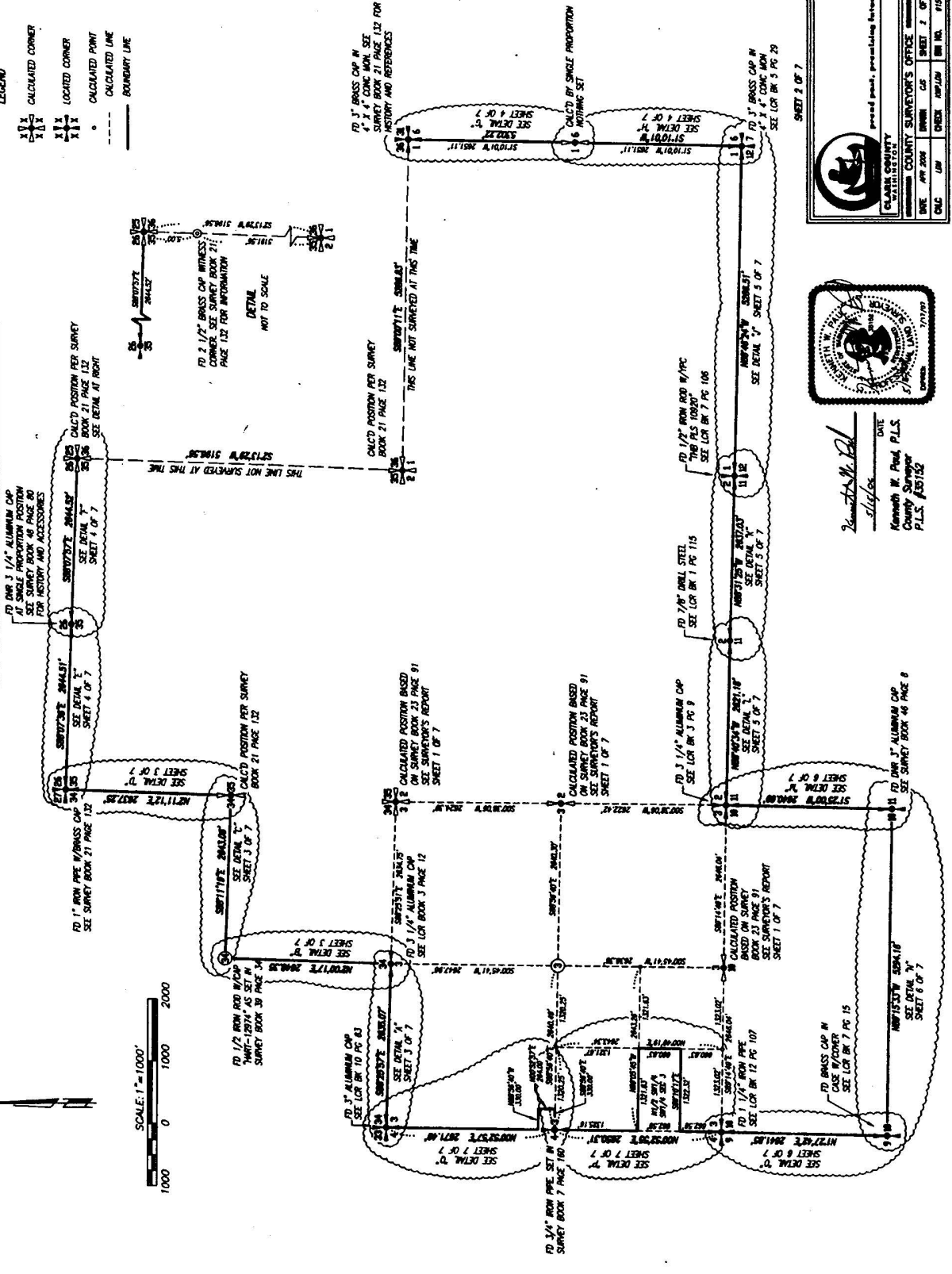
APPROVED AS TO FORM ONLY:


Deputy Prosecuting Attorney

RECORD OF SURVEY

LEGEND

- CALCULATED CORNER
- LOCATED CORNER
- CALCULATED POINT
- CALCULATED LINE
- BOUNDARY LINE



printed past, providing before

Kenneth W. Paul, P.L.S.
 County Surveyor
 St. Louis County, Missouri
 P.L.S. #35152

DATE	APR 2004	DRAWN	CS	SHEET	2 OF 7
ENCH	DM	CHECK	MPJ/DM	BOOK NO.	715

8456 P007 287

EXHIBIT A

P014469
Shaw, Greg
1st Installment Page 76

EXHIBIT B

Itemization of Personal Property to be abandoned Camp Bonneville

The property listed cannot be reutilized, transferred, donated, or sold. Donation is determined to be infeasible. Donation is not feasible because the cost of its care and handling is so great that its retention for donation or sale is not economical. Public notice for the abandoned surplus property is not required because the cost of its care and handling is so great that its retention for donation or sale is not economical. The estimated costs of the continued care and handling of the property exceed the estimated proceeds of sale. The estimated cost of disposal by abandonment is less than the net sales cost. The property requires no demilitarization.

I certify that the listed property was abandoned in a manner authorized by DoD 4160.21-M and other applicable directives.

Larry A Watkins
Larry A Watkins
 Chief, Installation
 Property Control Branch
Abandonment/Destruction Officer

25 Sept. 01
 Date

Location/building	Item	Quantity
4314	bed	30
4314	mattress	30
4314	mattress cover	30
4314	fire extinguisher	2
4316	bed	30
4316	mattress	31
4316	mattress cover	29
4316	fire extinguisher	2
4327	bed	30
4327	mattress	30
4327	mattress cover	20
4327	fire extinguisher	2
4337	shower benches	4
4337	metal garbage can	1
4348	bed	32
4348	mattress	32
4348	mattress cover	28
4348	fire extinguisher	1
4348	barricade sign	1
4348	sand bag bundle	18

Location/building	Item	Quantity
4348	easel	2
4348	chair wood	1
4348	office partition	1
4348	danger sign (explosive)	1
4348	garbage can	2

4368	Natutilus Super Pull Over	1
4368	weight bench	3
4368	mattress cover	4
4368	table	7
4368	chair mess hall	18
4368	file cabinet	1
4368	chair lounge set	2
4368	fire extinguisher	2
4368	bed	1
4368	mattress	2
4368	chair metal folding	1
4368	fire extinguisher (chemical)	1
4368	water sampling equipment	V
4368	soil sampling equipment	V
4368	wall clock	1
4368	cork board	1
4368	office size garbage can	7
4368	wall mirror	5
4368	garbage can	1

4364	building materials	V
4364	commercial washer	2
4364	commercial dryer	2
4364	garbage can	1
4364	mop bucket and wringer	1
4364	mop	1
4364	mattress cover	1
4364	grounding rod	30
4364	desk	2
4364	chair wood	2
4364	chair hard plastic	4
4364	sheetrock 4x8x5/8" sheet	9

4378	garbage can	3
4378	wheel barrel	1
4378	weight bench	1
4378	chair office	1
4378	mop wringer	1
4378	shelves	1
4378	garden hose	2
4378	broom	1
4378	road cones	5
4378	hand sly	4

Location/building	Item	Quantity
4378.1	targets	V
4483	lawn mower riding s/n 6900364 model 71185	1
4483	battery charger Fox model 370MR	1
4483	chairs	2
4483	fire line tool	10
4483	shovel	10
4483	lawn mower push s/n 93-124896 model Pro25	1
4483	lawn mover push s/n 89-01115 model 22680c	1
4483	lawn mover push s/n 89-00747 model 22680c	1
4483	weed eater 2350	2
4483	weed eater 2450	2
4483	weed eater 38B	2
4483	Fire fighting and garden tools	V
4483	Four-wheeler s/n JSAAJ45A9W2103354 Suzuki Quad	1
HAZMAT 1	Generator	1
HAZMAT 1	chainsaw	1
HAZMAT 1	gas cans	V
HAZMAT 2	oils	V
4475	degreaser	1
4475	grinder	1
4475	tool storage cabinet metal with wood top	2
4475	cabinet wood	1
4475	cutting torch with chart	1
4475	welder	1
4475	welling equipment & supplies	V
4475	welding table	1
4475	Tool chest Snap On with assorted small hand tools	1
4475	wood screw and bolt bin 20 draws	1
4475	screws and bolts	V
4475	file cabinet 5-drawer	1
4475	file cabinet 3-drawer	1
4475	chairs	7
4475	wall locker	5
4475	hazmat locker	2
4475	electrical supplies/equipment	V
4475	plumbing supplies/equipment	V
4475	lighting supplies/equipment	V
4475	storage cabinet metal for bolts/screws/washers 24-draw	3

Location/building	Item	Quantity
4475	air compressor portable	1
4475.1	wheel barrel	1
4475.1	lawn mower Bunton model 261772 broken	1
4475.1	chipper Bear Cat broken	1
4475.1	brush hog MX5 5ft.	1
4475.1	broken and old lawn equipment	V
4475.1	John Deere JD 301-A Tractor	1
4475.1	Backhoe Ford	1
4387	grinder portable	1
4387	nails	V
4387	paint	V
4387	hazmat locker	2
4387	desk with chair	1
4387	Pump Fill-Rite 12 Volt	1
4387	ladder painters	1
4387	stop sign	4
4387	drum chart	1
4387	skill & table saw blades 10"	V
4387	radial arms saw DeWalt	1
4387	table 3x6	1
4387	chair	2
4387	wood supplies	V
4387	hand chart	1
4387	band saw 14"	1
4387	joiner 8"	1
4387	mess hall cutting board table	1
4389	tables wood 3 1/2 x 3 1/2	36
4389	desk	1
4389	chalk board Easel	1
4389	chairs	90
4389	utensils	V
4389	refrigerator commercial	1
4389	floor buffer	2
4389	fire extinguisher	4
4389	water cooler drinking fountain	1
4389	water cooler/water fountain commercial	1
4389	coffee yearn	1
4389	cork board easel	1
4389	TV	1
4389	mess hall check in desk	1
4389	metal garbage can	1
4398	chair lounge set	1
4398	chair lounge single	4
4398	coffee table	1

Location/building	Item	Quantity
4398	book shelf	1
4398	TV	1
4398	microwave	1
4398	refrigerator residential	1
4398	end table	1
4398	bed and frame	1
4398	personal wall locker mismatched	3
4398	misc. broken items	V
4398	cleaning equipment and supplies	V
4398	office supplies	V
4398	flashing caution lights large	6
4398	flashing caution lights small	2
4398	fax machine	1
4398	file cabinet 2-draw	1
4398	desk with chair	4
4398	UHF Radio base station	1
4398	UHF hand held radios	9
4398	UHF vehicle radio	1
4398	UHF Radio Battery charger	2
4398	type writer	1
4398	drinking fountain water cooler	1
4398	chair office	5
4398	garbage can	1
4398	drafting table with chair	1
4398	file cabinet locking 4-draw don't have combo	1
4398	bookcase large	1
4398	book shelf 4 shelves	1
4398	file cabinet 5-drawer	1
4398	locker cabinets wall large	2
4398	locker cabinets small	2
1864	water cooler	1
1864	cabinet 2 drawer	1
1864	metal locker	1
1864	rubber mask for spraying	1
1864	misc. junk	V
1833	benches	2
1826	bed	28
1826	mattress	28
1826	mattress cover	24
1826	fire extinguisher	2
1837	bed	35
1837	mattress	34
1837	mattress cover	23
1837	fire extinguisher	

Location/building	Item	Quantity
1847	bed	30
1847	mattress	31
1847	mattress cover	25
1847	fire extinguisher	2

1857	table 36"x8'	1
1857	table mess hall	1
1857	chair classroom one arm	54
1857	easel wooden	1
1857	cabinet 2 shelf 16"x16"	1
1857	light florescent	V
1857	fire extinguisher	1
1857	mattress cover	100s
1857	chair	V
1857	desk	1
1857	metal garbage can	V
1857	office supplies	V
1857	range targets	V
1857	volleyball net	1
1857	toilet paper	V
1857	paper cups	V
1857	glass cleaner	V
1857	pop up targets	35+
1857	bubble rap	V
1857	end table	1

1867	bed	25
1867	mattress	25
1867	mattress cover	25
1867	fire extinguisher	2

1828	bed	1
1828	mattress	1
1828	mattress cover	1
1828	desk office	1
1828	chair plastic	2
1828	desk classroom	26
1828	fire extinguisher	1

1920	bed	15
1920	mattress	15
1920	mattress cover	15
1920	fire extinguisher	1

1911	bed	35
1911	mattress	35
1911	mattress cover	35
1911	fire extinguisher	2

1922	bed	28
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Location/building	Item	Quantity
1922	mattress	27
1922	mattress cover	35
1922	fire extinguisher	2
1932	bed	35
1932	mattress	35
1932	mattress cover	31
1932	fire extinguisher	2
1942	bed	35
1942	mattress	35
1942	mattress cover	35
1942	fire extinguisher	2
1934	bench	3
1934	fan from mess hall	1
1934	fire extinguisher	1
1934	washer commercial Whirlpool	2
1934	dryer commercial Whirlpool	2
1980	bed	7
1980	mattress	8
1980	chair office	4
1980	desk office	3
1980	File Cabinet	2
1980	end table	4
1980	coffee table	2
1980	bookshelf	3
1980	magazine rack	1
1980	tables 2'x4'	2
1980	chair lounge (3seats)	2
1980	chair lounge (2seats)	3
1980	chair lounge (1seat)	2
1980	chair cloth	1
1980	refrigerator	2
1980	office space separator panel	6
1980	wall locker	3
1980	mess hall table	2
1980	fire extinguisher (water)	2
1980	vacuum Dayton Tradesman	1
1963	misc. building supplies	V
1963	plumbing PVC	V
1963	tar paper	V
1963	desk	1
1848	ice machine (commercial type)	1
1848	drinking fountain water cooler	1
1848	coffee maker yearn (commercial type)	1
1848	chairs	75

Location/building	Item	Quantity
1848	tables 4"x3'	7
1848	fire extinguisher (water)	3
1848	beverage cooler and dispenser	2
1848	food heater (commercial)	3
1848	juicer	2
1848	table 4'x4'	1
1848	table 3'x8'	1
1848	head count chair w/desk	1
1848	push cart	2
1848	dough proofing cabinet	1
1848	vegetable peeler	1
1848	deep fryer (commercial type)	1
1848	refrigerator Unit (commercial type)	1
1848	Oven (convection)	2

1930	rifle rack	1
1930	chairs	4
1930	cold food table (commercial type)	1
1930	misc. junk	V

1940	shuffle board (old)	1
1940	pool table	1
1940	file cabinet	1
1940	desk large	1
1940	chairs	11
1940	TV Stand 2'x2.5'	1
1940	desk small	1
1940	end table	6
1940	chairs lounge	16
1940	conference table	1
1940	metal book case	3
1940	desk	1
1940	office chairs	5
1940	card table	1
1940	magazine rack	1

Parade Field and Parking Area	bleacher large	1
Parade Field and Parking Area	bleacher small portable	4
Parade Field and Parking Area	concrete barricade blocks	6
Parade Field and Parking Area	chain link ammo (UXB) holding area 20'x70' 6'high	1

4125	road grader	1
4125	flail mower	1
4125	mower pull along (not working)	2

This deed was prepared/reviewed by:
Bruce G. Rohde, Attorney
U.S. Army Engineer District, Seattle
P.O. Box 3755
Seattle, WA 98124-3755

EXHIBIT C

**QUITCLAIM DEED
FORMER CAMP BONNEVILLE
CLARK COUNTY, WASHINGTON**

THIS QUITCLAIM DEED, between the UNITED STATES OF AMERICA (hereinafter the "GRANTOR"), acting by and through the Deputy Assistant Secretary of the Army (Installations and Housing), pursuant to a delegation of authority from the SECRETARY OF THE ARMY (hereinafter the "SECRETARY"), under the authority of 10 U.S.C. § 2694a, as amended, and Clark County, Washington (hereinafter the "GRANTEE").

WITNESSETH THAT, the GRANTOR, for and in consideration of the benefit that will accrue to the United States from the use of the property conveyed herein for the conservation of natural resources and other good and valuable consideration the receipt of all of which is hereby acknowledged, does hereby REMISE, RELEASE, AND FOREVER QUITCLAIM unto the GRANTEE, its successors and assigns, all its right, title, and interest in the property situated, lying and being in the County of Clark, in the State of Washington, containing approximately 3,013 acres as more particularly described in Exhibit A, attached hereto and made a part hereof (hereinafter referred to as the "Property"); provided that the right of the GRANTEE to conduct revenue-producing activities on the Property shall be limited to the conduct of incidental revenue-producing activities that are compatible with the use of the Property for conservation purposes; provided further that the right of the GRANTEE to convey the Property shall be limited to conveyances to another eligible entity, as defined in 10 U.S.C. § 2694a(b), and shall be subject to the approval of the SECRETARY, and that any and all such further conveyances of the Property shall be subject to the same terms, reservations, restrictions, covenants and conditions set forth in this Deed; and provided that if any portion of the premises shall be used for any purpose other than natural resource conservation as provided in 10 U.S.C. § 2694a and incidental revenue-producing activities that are compatible with the use of the Property for conservation purposes, the title and interest in and to the portion of the premises so used shall revert to and become the property of the GRANTOR, at its option, and it shall have the immediate right of entry.

SUBJECT TO all valid and existing restrictions, reservations, covenants, conditions, and easements, including, but not limited to, rights-of-way for railroads, highways, pipelines, and public utilities, if any, whether of public record or not.

TO HAVE AND TO HOLD the Property granted herein to the GRANTEE and its successors and assigns, together with all and singular the appurtenances, rights, powers and privileges thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, or claim whatsoever of the GRANTOR, either in law or in equity, and subject to the terms, reservations, restrictions, covenants, and conditions set forth in this Deed.

AND IT IS FURTHER AGREED AND UNDERSTOOD by and between the parties hereto that the GRANTEE, by its acceptance of this Deed, agrees that, as part of the consideration for this Deed, the GRANTEE covenants and agrees for itself, its successors and assigns, forever, that this Deed is made and accepted upon each of the following covenants, which covenants shall be binding upon and enforceable against the GRANTEE, its successors and assigns, in perpetuity by the GRANTOR and other interested parties as allowed by federal, state or local law; that the notices, use restrictions and restrictive covenants set forth herein are a binding servitude on the Property herein conveyed and shall be deemed to run with the land in perpetuity; and that the failure to include the notices, use restrictions and restrictive covenants in subsequent conveyances does not abrogate the status of these notices, use restrictions and restrictive covenants as binding upon the GRANTEE, its successors and assigns:

1. CERCLA NOTICE

A. Pursuant to section 120(h)(3)(A)(i)(I) and (II) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, (hereinafter "CERCLA") (42 U.S.C. § 9620(h)(3)(A)(i)(I) and (II)), available information regarding the type, quantity, and location of hazardous substances, as defined in section 101(14) of CERCLA, and the time at which such substances were stored, released, or disposed of, is provided in Exhibit B, attached hereto and made a part hereof. Additional information regarding the storage, release, and disposal of hazardous substances on the Property has been provided to the GRANTEE, receipt of which the GRANTEE hereby acknowledges. Such additional information includes, but is not limited to, the following documents: Final Environmental Baseline Survey Report, Final Multi-Sites Investigation Report, Final Environmental Assessment and other documents as listed in Attachment 3 to the Finding of Suitability for Early Transfer dated August 2006.

B. Pursuant to section 120(h)(3)(A)(i)(III) of CERCLA, (42 U.S.C. § 9620(h)(3)(A)(i)(III)), a description of the remedial action taken, if any, on the Property is provided in Exhibit B. Additional information regarding the remedial action taken, if any, has been provided to the GRANTEE, receipt of which the GRANTEE hereby acknowledges. Such additional information includes, but is not limited to, the following documents: Final Closure Report – Environmental Restoration, Multi-Sites; Final Closure Report, Environmental Restoration, Pesticide Building #4126 and Ammunition Bunkers #2953, #2951 and #2950; Final Landfill 4 Investigation Report; BRAC HTRW Site Closure Report for Landfills 1, 2 and 3, Former Burn Area, Buildings 1962 and 1963, Grease Pits at the Camp Bonneville and Camp Killpack Cantonments, Former Sewage Pond and Hazardous Materials Accumulation Point and other documents.

2. CERCLA COVENANT

Pursuant to section 120(h)(3)(A)(ii)(II) of CERCLA, the GRANTOR warrants that any additional remedial action found to be necessary after the date of this Deed with regard to any hazardous substances remaining on the Property as of the date of this Deed shall be conducted by the GRANTOR. This covenant shall not apply in any case in which the person or entity to whom the Property or any portion thereof, is transferred is a potentially responsible party with respect to the Property or any such portion thereof. For purposes of this covenant, the GRANTEE shall not be considered a potentially responsible party solely due to the presence of a hazardous substance remaining on the Property on the date of this Deed. Further, The GRANTOR shall not be relieved of any obligation under CERCLA to perform any remedial action found to be necessary after the date of this Deed with regard to any hazardous substances remaining on the Property as of the date of this Deed if the GRANTEE is

subsequently determined to be a potentially responsible party with respect to hazardous substances placed on the Property after the date of this Deed.

3. RIGHT OF ACCESS

A. Pursuant to section 120(h)(3)(A)(iii) of CERCLA, the GRANTOR retains and reserves a perpetual and assignable easement and right of access on, over, and through the Property, to enter upon the Property in any case in which an environmental response action or corrective action is found to be necessary on the part of the GRANTOR, without regard to whether such environmental response action or corrective action is on the Property or on adjoining or nearby lands. Such easement and right of access includes, without limitation, the right to perform any environmental investigation, survey, monitoring, sampling, testing, drilling, boring, coring, test-pitting, installing monitoring or pumping wells or other treatment facilities, response action, corrective action, or any other action necessary for the GRANTOR to meet its responsibilities under applicable laws and as provided for in this Deed. Such easement and right of access shall be binding on the GRANTEE, its successors and assigns, and shall run with the land.

B. In exercising such easement and right of access, the GRANTOR shall provide the GRANTEE or its successors or assigns, as the case may be, with reasonable notice of its intent to enter upon the Property and exercise its rights under this covenant, which notice may be severely curtailed or even eliminated in emergency situations. The GRANTOR shall use reasonable means, but without significant additional costs to the GRANTOR, to avoid and to minimize interference with the GRANTEE's and the GRANTEE's successors' and assigns' quiet enjoyment of the property. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the Property at a reasonable charge to the GRANTOR. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the GRANTEE nor its successors and assigns, for the exercise of the easement and right of access hereby retained and reserved by the GRANTOR.

C. The GRANTOR and the GRANTEE agree that if any action of the GRANTOR's officers, employees, agents, contractors of any tier, or servants in the exercise of this right of access results in damage to the Property, the GRANTOR shall, at its sole discretion, make reasonable repairs to, or compensate for, such damage. In no event shall such repair, or compensation, exceed the fair market value of the damaged portion of the Property at the time immediately preceding such damage. The GRANTOR's liability under this clause shall be contingent upon the availability of, and shall not exceed, appropriations available for such payment and nothing contained in this Deed may be considered as implying that Congress will at a later date appropriate funds sufficient to meet deficiencies. In addition, the GRANTEE covenants for itself, its successors and assigns not to interfere with any response action or corrective action conducted by the GRANTOR on the Property.

4. "AS IS"

A. The GRANTEE acknowledges that it has inspected or has had the opportunity to inspect the Property and accepts the condition and state of repair of the Property. The GRANTEE understands and agrees that the Property and any part thereof is conveyed "AS IS" without any representation, warranty, or guaranty by the GRANTOR as to quantity, quality, title, character, condition, size, or kind, or that the same is in a condition or fit to be used for the purposes intended by the GRANTEE, and no claim for allowance or deduction upon such grounds will be considered.

B. No warranties, either express or implied, are given with regard to the condition of the Property, including, without limitation, whether the Property does or does not contain asbestos or lead-based paint. The GRANTEE shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property, including, without limitation, any asbestos, lead-based paint, or other conditions on the Property. The failure of the GRANTEE to inspect or to exercise due diligence to be fully informed as to the condition of all or any portion of the Property will not constitute grounds for any claim or demand against the GRANTOR.

C. Nothing in this "As Is" provision will be construed to modify or negate the GRANTOR's obligation under the "CERCLA Covenant" or any other statutory obligations.

5. HOLD HARMLESS

A. To the extent authorized by law, the GRANTEE, its successors and assigns, covenant and agree to indemnify and hold harmless the GRANTOR, its officers, agents, and employees from (1) any and all claims, damages, judgments, losses, and costs, including fines and penalties, arising out of the violation of the notices, use restrictions, and restrictive covenants in this Deed by the GRANTEE, its successors and assigns, and (2) any and all claims, damages, and judgments arising out of, or in any manner predicated upon any failure to comply with the provisions in this Deed regarding asbestos and lead-based paint after the date of conveyance.

B. The GRANTEE, its successors and assigns, covenant and agree that the GRANTOR shall not be responsible for any costs associated with modifications or termination of the notices, use restrictions, and restrictive covenants in this Deed, including, but not limited to, any costs associated with additional investigation or remediation of asbestos or lead-based paint.

C. Nothing in this "Hold Harmless" provision will be construed to modify or negate the GRANTOR's obligation under the "CERCLA Covenant" or any other statutory obligations.

6. ENVIRONMENTAL PROTECTION PROVISIONS

The GRANTEE shall neither transfer the Property, lease the Property, nor grant any interest, privilege, or license whatsoever in connection with the Property without the inclusion of the Environmental Protection Provisions set forth in Exhibit C, attached hereto and made a part hereof, and shall require the inclusion of the said Environmental Protection Provisions in all subsequent deeds, easements, transfers, leases, or grant of any interest, privilege, or license in, on, of, or to the Property or any portion thereof.

7. NON-DISCRIMINATION

The Grantee covenants for itself, its successors, and assigns and every successor in interest to the Property hereby conveyed, or any part thereof, that the said GRANTEE and such successors, and assigns shall not discriminate upon the basis of race, color, religion, age, gender, or national origin in the use, occupancy, sale, or lease of the Property, or in their employment practices conducted thereon. This covenant shall not apply, however, to the lease or rental of a room or rooms within a family dwelling unit; nor shall it apply with respect to religion to premises used primarily for religious purposes. The GRANTOR shall be deemed a beneficiary of this covenant without regard to whether it remains the owner of any land or interest therein in the locality of the Property hereby conveyed and shall have the sole right to enforce this covenant in any court of competent jurisdiction.

8. INDEMNIFICATION OF TRANSFEREES OF CLOSING DEFENSE PROPERTY

The GRANTOR and the GRANTEE are aware of their respective obligations and responsibilities under section 330 of the National Defense Authorization Act for Fiscal Year 1993, Public Law 102-484, Oct. 23, 1992, 106 Stat. 2371, as amended by section 1002 of the National Defense Authorization Act for Fiscal Year 1994, Public Law 103-160, Nov. 30, 1993, 107 Stat. 1745.

9. ANTI-DEFICIENCY ACT

The GRANTOR's obligation to pay or reimburse any money under this Deed is subject to the availability of funds appropriated for this purpose to the Department of the Army and nothing in this Deed shall be interpreted to require obligations or payments by the GRANTOR in violation of the Anti-Deficiency Act, 31 U.S.C. § 1341.

10. NO WAIVER

The failure of the GRANTOR to insist in any one or more instances upon complete performance of any of the said notices, covenants, conditions, restrictions, or reservations shall not be construed as a waiver or a relinquishment of the future performance of any such covenants, conditions, restrictions, or reservations and the obligations of the GRANTEE, its successors and assigns with respect to such future performance shall continue in full force and effect.

IN WITNESS WHEREOF, the GRANTOR has caused this Deed to be executed in its name by the Deputy Assistant Secretary of the Army (Installations and Housing), this the ____ day of _____ 2006.

UNITED STATES OF AMERICA

By: _____
JOSEPH W. WHITAKER
Deputy Assistant Secretary of the Army
(Installations and Housing)
OASA(I&E)

ATTORNEY'S CERTIFICATE

I, E. Bronson Potter, acting as Senior Deputy Prosecuting Attorney for Clark County, Washington, referred to as the "GRANTEE" in the foregoing Quitclaim Deed, do hereby certify that I have examined the said Quitclaim Deed and the proceedings taken by the GRANTEE relating thereto, and find that the acceptance thereof by the GRANTEE has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of Washington, and further that, in my opinion, the said Quitclaim Deed constitutes a legal and binding compliance obligation of the GRANTEE in accordance with the terms thereof.

Dated this _____ day of _____, 2006.

By: _____
E. Bronson Potter
Senior Deputy Prosecuting Attorney
Clark County, Washington

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land located in Sections 34 and 35 of Township 3 North, Range 3 East of the Willamette Meridian, and in Sections 1, 2, 3, and 10 of Township 2 North, Range 3 East of the Willamette Meridian, all in Clark County, Washington, more particularly described as follows:

BEGINNING at a 3 inch aluminum cap marking the southwest corner of Section 34 Township 3 North, Range 3 East, Willamette Meridian; thence South $88^{\circ} 25' 57''$ East, 2,635.07 feet along the south line of the southwest quarter (SW $\frac{1}{4}$) of said Section 34 to a $\frac{3}{4}$ inch aluminum cap marking the south quarter corner of said Section 34; thence North $02^{\circ} 00' 17''$ East, 2,648.35 feet along the west line of the southeast quarter (SE $\frac{1}{4}$) of said Section 34 to a $\frac{1}{2}$ inch iron rod with yellow plastic cap marked "Hart 12974" marking the center of said Section 34 per that record of survey recorded in book 39 of Surveys at page 34, Records of Clark County, Washington; thence South $88^{\circ} 11' 19''$ East, 2,643.06 feet along the north line of the southeast quarter (SE $\frac{1}{4}$) of said Section 34 to the east quarter corner of said Section 34, as calculated per that Record of Survey recorded in Book 21 of Surveys, at Page 132, Records of Clark County, Washington; thence North $02^{\circ} 11' 12''$ East, 2,637.25 feet along the west line of the northwest quarter (NW $\frac{1}{4}$) of Section 35 to a 3 inch brass cap marking the northwest corner of said Section 34, being also the northeast corner of Section 35, Township 3 North, Range 3 East; thence South $88^{\circ} 07' 36''$ East, 2,644.51 feet along the north line of the northwest quarter (NW $\frac{1}{4}$) of said Section 35 to a $\frac{3}{4}$ inch aluminum cap marking the north quarter corner of said Section 35; thence South $88^{\circ} 07' 57''$ East, 2,644.52 feet to the northeast corner of said Section 35, said corner having a witness corner marked by a 3 inch brass cap bearing North $02^{\circ} 13' 29''$ East, 5.00 feet, as set per that Record of Survey recorded in Book 21 of Surveys, at Page 132, Records of Clark County, Washington; thence South $02^{\circ} 13' 29''$ West, 5,196.56 feet along the east line of said Section 35, to a 3 inch brass cap marking the southeast corner of said Section 35, being also the southwest corner of Section 36, Township 3 North, Range 3 East, as calculated per that Record of Survey recorded in Book 21 of Surveys, at page 132, records of Clark County, Washington; thence South $89^{\circ} 00' 11''$ East, 5,286.83 feet along the south line of said Section 36, to a 3 inch brass cap marking the southeast corner of said Section 36, being also the northeast corner of Section 1, Township 2 North, Range 3 East; thence South $01^{\circ} 10' 01''$ West, 5,302.22 feet along the east line of said Section 1, to a 3 inch brass cap marking the southeast corner of said Section 1; thence North $88^{\circ} 46' 24''$ West, 5,266.51 feet along the south line of said Section 1, to a $\frac{1}{2}$ inch iron rod with yellow plastic cap marked "TBH PLS 10920" marking the southwest corner of said Section 1, per that Record of Survey recorded in Book 21 of Surveys, at Page 95, Records of Clark County, Washington, being also the southeast corner of Section 2, Township 2 North, Range 3 East; thence North $88^{\circ} 31' 25''$ West, 2,637.03 feet along the south line of the southeast quarter (SE $\frac{1}{4}$) of said Section 2, to a $\frac{7}{8}$ inch drill shaft marking the south quarter corner of said Section 2; thence North $88^{\circ} 40' 34''$ West, 2,621.18 feet to a $\frac{3}{4}$ inch aluminum cap marking the southwest corner of said Section 2, being also the northeast corner of Section 10, Township 2 North, Range 3 East; thence South $01^{\circ} 25' 00''$ West, 2,640.69 feet to a $\frac{3}{4}$ inch aluminum cap marking the east quarter corner of said Section 10; thence North $89^{\circ} 15' 33''$ West, 5,294.16 feet along the south line of the North half (N $\frac{1}{2}$) of said Section 10 to a $\frac{3}{2}$ inch brass cap marking the west quarter corner of said Section 10; thence North $01^{\circ} 27' 42''$ East, 2,641.85 feet along the west line of the northwest quarter (NW $\frac{1}{4}$) of said Section 10 to a $\frac{1}{4}$ inch iron pipe marking the northwest corner of said Section 10, being also the southwest corner of Section 3, Township 2 North, Range 3 East, per that Record of Survey recorded in Book 17 of Surveys, at Page 87, Records of Clark County, Washington; thence North $00^{\circ} 52' 55''$ East, 2650.31 feet along the west line of the southwest

quarter (SW $\frac{1}{4}$) of said Section 3, to a $\frac{3}{4}$ inch iron pipe marking the west quarter corner of said Section 3, per said Record of Survey in Book 17 of Surveys, at Page 87; thence North 00° 52' 57" East, 2,671.49 feet to the northwest corner of said Section 3, being also the southwest corner of Section 34, Township 3 North, Range 3 East and the **POINT OF BEGINNING**.

EXCEPT the north half of the southwest quarter of the southwest quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 3, Township 3 North, Range 3 East, Willamette Meridian, per that Record of Survey recorded in Book 23 of Surveys, at Page 91, Records of Clark County, Washington.

ALSO EXCEPT that tract of land conveyed to the Public, by Quit Claim Deed recorded under Auditor's File Book 24, Page 223 on August 29, 1894, in Clark County, Washington, being a portion of the southwest quarter of the northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 3, Township 2 North, Range 3 East, of the Willamette Meridian, described as follows:

BEGINNING at the southwest corner of the northwest quarter (NW $\frac{1}{4}$) of said Section 3; thence east along the south line of said northwest quarter (NW $\frac{1}{4}$), 330 feet (20 rods); thence north parallel with the west line of said northwest quarter (NW $\frac{1}{4}$), 264 feet (16 rods); thence west parallel with the south line of said northwest quarter (NW $\frac{1}{4}$), 330 feet (20 rods), to the west line of northwest quarter (NW $\frac{1}{4}$) of Section 3; thence south along said west line 264 feet (16 rods), to the **POINT OF BEGINNING**.

ALSO EXCEPT any portion lying within the right of way of Northeast 232nd Avenue, and

ALSO EXCEPTING any portion lying within the right of way of Northeast 68th Street.

This description contains 3,013 acres, more or less.

This description based on survey performed by Clark County, Washington 15 May 2006 as recorded in Book 56 of Surveys, at page 007, Records of Clark County, Washington. The Basis of Bearing is the south line of the southwest quarter of Section 34, Township 3 North, Range 3 East, Willamette Meridian, being held as South 88° 25' 57" East and distances are based on grid distances with a combined factor of 1.0000365 to obtain ground distances. Survey is based on the Washington State Plane Coordinate System, South Zone, NAD83/91 Adjustment.

NOTIFICATION OF HAZARDOUS SUBSTANCE STORAGE, RELEASE, OR DISPOSAL

Building Number	Name of Hazardous Substance(s)	Year(s) of Storage or Disposal	Remedial Action
Remedial Action Unit 1			
Building 1864 Pesticide Storage/Mixing Building	2,4,5-trichlorophenoxyacetic acid (2,4,5-T), 2,4-dichlorophenoxyacetic acid, 4,4-dishlorodiphenotrichloroethant (DDT) Cadmium Lead	1977 - 1980 Unknown	<p>Records indicate that this facility stored 55-gallon drums of 2,4,5-trichlorophenoxyacetic acid (2,4,5-T), 2,4-dichlorophenoxyacetic acid, and an unknown amount of 4,4-dishlorodiphenotrichloroethant (DDT). These materials came from Building 4126 in 1977 and in 1980 were moved to Fort Lewis.</p> <p>Surface, subsurface, and groundwater samples were collected at the site and tested for TPH, VOCs, (subsurface samples only) SVOCs, chlorinated pesticides, PCBs, organophosphorus pesticides, chlorinated herbicides, and PL metals. Test results indicate that surface and sub-surface soil samples had concentrations of various metals (cadmium, chromium and lead) above regulatory cleanup levels. The concentrations of cadmium and lead exceeded background levels. Groundwater samples collected from the two monitoring wells installed at the site contained no analytes above regulatory criteria.</p> <p>Remediations began in June 2000 that included soil excavations to a depth of 0.8 feet bgs (on average). Confirmatory samples were collected from the excavation, and the test results indicated that the concentration of TPH (diesel and heavy oil range) and lead exceeded cleanup criteria. Based on that data, the excavation was extended to 2.7 feet bgs (on average). Confirmatory samples were collected, and all test results showed target analyte concentrations to be below their respective cleanup criteria.</p> <p>The contaminated soil excavation was completed in 2000, and all contaminated soil was disposed of at an off-site facility. The excavation was backfilled to grade.</p>
Building 4126 Pesticide Storage	2,4,5-trichlorophenoxyacetic acid (2,4,5-T), 2,4-dichlorophenoxyacetic acid,	Unknown to 1977	Records indicate that this building stored 55-gallon drums of 2,4,5-trichlorophenoxyacetic acid (2,4,5-T), 2,4-dichlorophenoxyacetic acid, and 4,4-dishlorodiphenotrichloroethant (DDT) until 1977 when these

Building Number	Substance	Status	Description
	4,4-dichlorodiphenyltrichloroethane (DDT) Lead	Unknown	<p>materials were moved to Building 1864, see above.</p> <p>Soil samples and an indoor floor sample were collected and tested for chlorinated pesticides and herbicides, PCBs, PPL metals (plus barium) and TPH (gasoline and diesel ranges). Test results on these samples indicate that pesticides (4,4-DDT, 4,4-DDD, 4,4-DDE, beta-BHC, lindane, 2,4-D, 2,4-DB, 2,4,5-T, and MCPPE), petroleum hydrocarbons, and several metals were detected but at concentrations below regulatory cleanup and background concentrations. Polychlorinated biphenyls were not detected at concentrations exceeding the laboratory reporting limit. Petroleum hydrocarbons were detected in floor samples above regulatory cleanup standards. Lead was detected in a surface soil sample above regulatory cleanup and background concentrations.</p> <p>Based on the floor and soil sample results, the building was dismantled and soil was excavated under the building footprint to a depth of 1-foot. Confirmatory samples were collected and test results show no analyte concentration above regulatory cleanup criteria. The building debris and excavated soils were disposed of at an off-site facility. The excavation was backfilled to grade.</p>
4475	Broad-leaf herbicides	Unknown	Pesticides were formerly stored in this building. The duration and volume of pesticide storage is not known.
Building 4475 (Maintenance Pit)	Lead	Unknown	<p>Six soil samples were collected from two borings advanced at the Maintenance pit. The soil samples collected at the drainage pit were tested, and the results showed unidentified hydrocarbons, VOCs, SVOCs and chlorinated pesticides at concentrations below regulatory criteria. No PCBs were detected in any of the samples. Several metals were detected above the regulatory cleanup concentration (arsenic, chromium, and lead) but below site-specific background concentrations with the exception of one sample, which had a lead concentration above background.</p> <p>In June 2000, all accessible lead-contaminated soils were excavated and disposed of at an off-site facility. The excavation was stopped to avoid undermining the building. Contaminated soil may be present beneath the</p>

Sample	List of Analytes	Status	Description of Action
			building. Potential contaminants may include petroleum hydrocarbons, VOCs, SVOCs, metals. The excavation was backfilled to grade.
Suspect Drum Burial Site (Drum Disposal Area)	Arsenic Barium Chromium Methoxychlor Toluene	Unknown	<p>An electromagnetic survey of the area identified anomalies. Soil borings were advanced in this area and samples collected. No SVOCs, PCBs, pesticides, or explosive compounds were detected in the samples, and there was no evidence of the presence of explosives. Petroleum hydrocarbons, certain VOCs, and metals were detected, but at concentrations below regulatory cleanup criteria and/or background concentrations.</p> <p>In 2000, the area was excavated to remove buried drums and debris (paint cans, corrugated metal, scrap metal and barbed wire). Twenty-six test pits were excavated to assess the area of drum disposal. Soil samples collected from the tests pits, and at some locations rainwater that accumulated in the pits, were tested. The soil sample test results indicate that toluene, arsenic, barium, chromium and methoxychlor exceeded regulatory cleanup criteria. The rainwater sample test results indicate that naphthalene, ethyl benzene, toluene, and lead above cleanup levels. A second EM survey was conducted to determine if buried objects could have caused or contributed to the contamination. Thirteen additional anomalies were identified and investigated by trenching. One excavation contained among other things, paint cans and paint. The other trenches contained scrap metal, reinforcement bars, barbed wire and firing point survey markers.</p> <p>Cleanup activities were initially conducted to address the debris, but later to address the organic compounds and metals detected in the test pits. Approximately 110 tons of soil and debris was excavated and disposed of at an off-site facility. Confirmatory sample results indicate all target analyte concentrations were either not detected or below regulatory cleanup criteria. The excavation was backfilled to grade.</p>
Former CS Gas Training Building (Former CS Gas Training Building Site)	Lead	Unknown	<p>Five soil borings were advanced in the area and soil samples were collected. Test results indicate that CS gas and cyanide were not detected. Semi-volatile organic compounds were detected but at concentrations below regulatory criteria. Lead was detected above regulatory cleanup and background criteria.</p> <p>In June 2000, contaminated soil excavation activities were commenced. The excavation extended to 3-feet below grade. Confirmatory sample test results indicate that all analyte concentrations were below MTCA cleanup criteria. The excavation was backfilled to grade and all contaminated soil was disposed of at an off-site facility.</p>

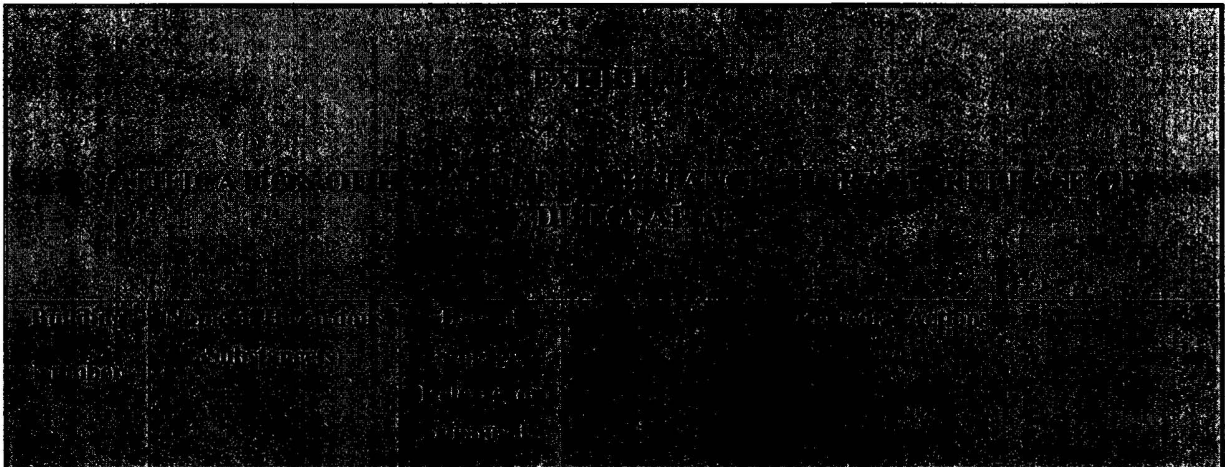
EXHIBIT B

NOTIFICATION OF POTENTIAL HAZARDOUS SUBSTANCE STORAGE RELEASE AND DISPOSAL

Building Number	Hazardous Substance	Date of Release or Disposal	Description of Release or Disposal
Ammunitions Storage Bunkers (Facility Nos. 2950, 2951, and 2953)	Lead	Unknown	<p>In 1998, fifteen sampling locations (nine at the largest magazine and three each at the two smaller magazines) were selected for the collection of surface and subsurface soil samples. A soil boring was also advanced at each magazine based on the results of the surface soil tests from soil samples collected from inside the magazines. Wipe samples were collected from the floors in each magazine. The soil samples collected from inside the magazines, and the wipe sample tests results show RDX (below reporting levels) and all the PPL metals except selenium and thallium in Building 2950. Arsenic, beryllium, cadmium, chromium, lead, and mercury were detected in the soil samples collected from inside the magazines at concentrations that exceed the MTCA cleanup criteria. Arsenic, beryllium, and cadmium concentrations were also above background levels. PETN was detected in one magazine; however, there is no established cleanup concentration for PETN. No organic compounds were detected above reporting limits in the surface soil samples collected outside the magazines. Arsenic, cadmium, chromium, and lead were detected at concentrations above MTCA cleanup criteria and background levels in the surface soil samples collected outside the magazines. In 2001, surface and subsurface soil samples were collected from Building 2953. PETN, picric acid, and 2,4-dinitrotoulene were detected in the surface soil samples at concentrations below MTCA cleanup criteria. No ordnance compounds or propellants were detected in the subsurface soil samples. Metals were detected in the surface soil samples. Arsenic and chromium were detected above MTCA cleanup criteria. Lead was detected above the MTCA cleanup criteria and background levels.</p> <p>In May 2001, contaminated soils at the three magazines were excavated to one foot below grade. Confirmatory samples were collected and the test results indicated no residual contaminants above regulatory criteria or background levels. The excavations were backfilled and the contaminated soil and wood from pallets inside the magazines were disposed of at an off-site facility. The interior surfaces of the magazines were cleaned.</p>
Remedial Action Unit 2A			
25Meter M60/Pistol Range	Lead	Unknown	Two soil samples collected from this site had lead concentrations of 136 mg/kg and 219 mg/kg.
25Meter Machine Gun Range	Lead	Unknown	The explosive residue (DNT) was detected in soil samples collected from the muzzle blast zone at concentrations that range from 4.9 mg/kg to 20 mg/kg, which are below regulatory criteria. Eleven soil samples had lead concentrations that ranged from 120 mg/kg to 26,300 mg/kg.

IDENTIFICATION OF HAZARDOUS MATERIALS STORED AT THE RANGE OR AT THE DISPOSED			
Range Name	Substance(s) Identified	Level of Contamination	Range Location
25Meter Record Fire Field Range	Lead	Unknown	Six soil samples collected from this site had lead concentrations that ranged from 150 mg/kg to 8,880 mg/kg.
Machine Gun Range- North	Barium and Lead	Unknown	Barium was detected in two soil samples at concentrations of 178 mg/kg and 200 mg/kg. Lead was detected in one soil sample at a concentration of 158 mg/kg.
Machine Gun Range- South	Barium and Lead	Unknown	Barium was detected in one soil sample at concentration of 192 mg/kg. Lead was detected in two soil samples at concentrations of 135 mg/kg and 423 mg/kg.
Infiltration Course-South	Lead	Unknown	Lead was detected in one soil sample at a concentration of 151 mg/kg.
Sub-machine Gun Range	Barium	Unknown	Barium was detected in one soil sample at a concentration of 133 mg/kg.
Field Firing Ranges 1 & 2	Lead	Unknown	Eight soil samples had lead concentrations that range from 125mg/kg to 7,150 mg/kg.
TF Range	Barium	Unknown	Barium was detected in one soil sample at a concentration of 163 mg/kg.
Combat Pistol Range	Lead	Unknown	Two soil samples contained lead at concentrations of 165 mg/kg and 785 mg/kg.
Close Combat Range	Barium	Unknown	Barium was detected in two soil samples at concentrations of 145 mg/kg and 227 mg/kg.
Rifle Ranges 1&2	Arsenic, Barium and Lead	Unknown	Arsenic and barium were detected in soil samples at 22.9 mg/kg and 202 mg/kg, respectively. Eighteen soil samples had lead concentrations that ranged from 130 mg/kg to 4,330 mg/kg.
Field Fire Rifle Ranges 1 & 2	Barium and Lead	Unknown	Soil test results show two samples with barium detected at concentrations of 146 mg/kg and 194 mg/kg. Two soil samples contained lead in concentrations of 149 mg/kg and 2,300 mg/kg.
Undocumented Pistol Range	Lead	Unknown	Lead was detected in one soil samples at a concentration of 154 mg/kg.
Remedial Action Unit 2B			
No sites			
Remedial Action Unit 2C			

Building Number	Contaminants Found	Type of Contamination	Remediation
Demolition Area 1 and Landfill 4	RDX 2,4-DNT Perchlorate Dichlorofluoromethane 1,1,1-TCA 1,1-DCE PCE	Unknown	<p>A site investigation (SI) was conducted in 1998-1999 4 to evaluate the potential for contamination resulting from past uses of the landfill. The SI included a UXO avoidance survey, geophysical survey, surface and subsurface sampling, and groundwater sampling. Test results of soil samples indicate concentrations of various metals. Only barium, copper, and chromium were detected at concentrations exceeding the regulatory/risk-based criteria. One or more SVOCs, insecticides, herbicides and VOCs were detected, but at concentrations below screening criteria. The only groundwater constituent detected at a concentration exceeding a screening level was RDX (44 ug/l). This compound was detected in the down-gradient well only.</p> <p>Surface water investigations of nearby streams were conducted in 1998 and 1999. Both investigations included the collection and analysis of stream water samples, which were extensively tested. Both investigations concluded that the activities conducted at the landfill do not appear to have affected the stream(s) investigated (primarily Lacamas Creek).</p> <p>In 2001, an expanded site investigation (ESI) of the landfill was conducted based on the previous detection of RDX. The ESI focused primarily on groundwater and included the installation of eight monitoring wells (one well could not be used because it was dry). Four quarterly rounds (July 2001, October 2001, January 2002, and April 2002) of groundwater sampling were conducted. Well samples were also collected in January 2003. Samples collected from the wells were tested for explosives residues, nitroguanidine, perchlorate ion, VOCs, SVOCs, organochlorine herbicides PPL metals (total and dissolved), total cyanide TPH and water quality parameters. Tests results indicate that explosives and propellants (2,4-DNT, RDX, and perchlorate) were detected in all but one monitoring well, and were also detected in the up-gradient well. These constituents were detected in concentrations exceeding screening criteria in the initial groundwater sampling rounds and the final sampling round. Dichlorofluoromethane, 1,1,1-TCA, 1,1-DCE, and PCE were also detected above screening levels.</p> <p>In 2004, approximately 5,000 cys of contaminated soil was removed (interim action) and disposed of at an off-site facility. The excavation was backfilled to grade. The monitoring wells at the site will be sampled on a quarterly basis.</p>



Remedial Action Unit 3

No sites			
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The information contained in this notice is required under the authority of regulations promulgated under section 120(h) of the Comprehensive Environmental Response, Liability, and Compensation Act (CERCLA or 'Superfund') 42 U.S.C. §9620(h). This table provides information on the storage of hazardous substances for one year or more in quantities greater than or equal to 1,000 kilograms or the hazardous substance's CERCLA reportable quantity (which ever is greater). In addition, it provides information on the known release of hazardous substances in quantities greater than or equal to the substances CERCLA reportable quantity. See 40 CFR Part 373.

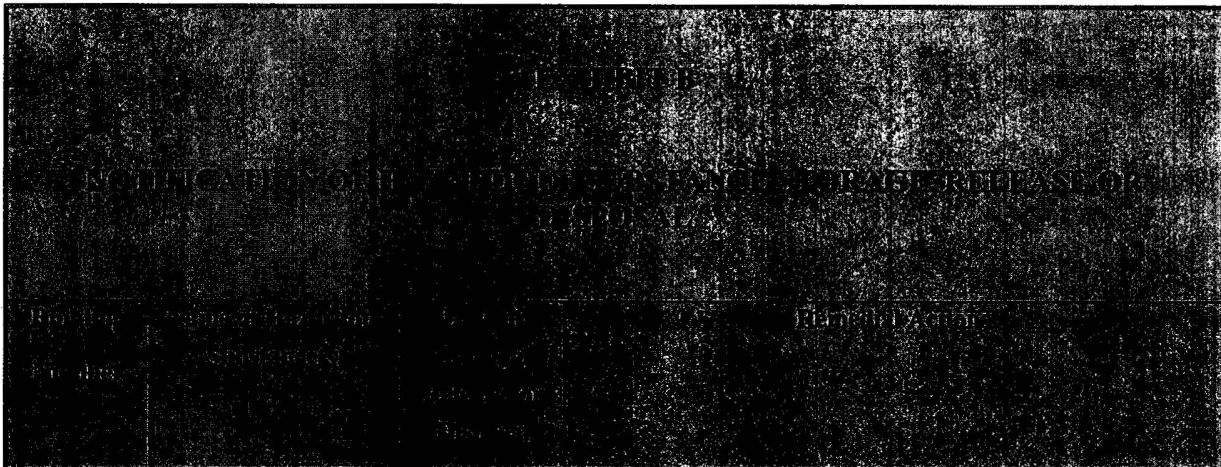
Notes:

- 1) Sites and chemical compounds shown in bold type: records indicate that a CERCLA hazardous substance was stored, released, or disposed of at the identified facility at or above its reportable quantity.
- 2) Sites and chemical compounds not shown in bold type: records indicate a CERCLA hazardous substance was released or disposed of at the site/area indicated; however, the quantity is not known. These sites generally relate to a known or suspected release of a CERCLA hazardous substance that was detected at concentrations that require cleanup, the hazardous substance.
- 3) Chemical Abstract Service Registry Numbers:

Analyte	Case #	Reportable
Quantity (lbs)		
• Arsenic	7440382	1
• Barium	7440-39-3	-
• beta-BHC	319857	1
• Cadmium	7440439	1
• Chromium	440473	1

Acronyms:

- CERCLA = Comprehensive Environmental Compensation liability Act
- CFR = Code of Federal Regulations
- CS = 2-chlorobenzalmononitrile
- D = dichlorophenoxy acetic acid
- DB = dichlorophenoxy butyric acid
- DCE = dichloroethylene
- DDD = dichlorodipenyldichloroethane
- DDE = dichlorodipenyldichloroethylene
- DDT =dichlorodipenyltrichloroethane
- DNT = 2,4-dinitrotoluene
- EM = electromegnetic
- ESI = expanded site investigation
- Lbs = pounds
- MCP = 2-(2-methyl-4-chlorophenoxy) propionic acid
- MTCA = Model Toxics Control Act
- PCB = polychlorinated biphenyls
- PCE = Tetrachloroethylene



• Chlorobenzalmalononitrile	2698411	-	PETN = pentaerythritol tetranitrate
• 2,4-D	94757	100	PPL Metals = priority pollutant metals
• 2,4-DB	94826	-	T = trichlorophenoxyacetic acid
• 1,1-DCE	75354	5000	TCA = trichloroethane
• 4,4-DDT	50293	1	TCE = Trichloroethylene
• 4,4-DDD	72548	1	TPH = total petroleum hydrocarbons
• 4,4-DDE	72559	1	RDX = hexahydro-1,3,5-trinitro-1,3,5-triazine
• Dichlorofluoromethane	75434	-	SVOC = semi-volatile organic compounds
• DNT	121142	1000	U.S.C. = United States Code
• Lead	7439921	1	U.S. EPA = United States, Environmental Protection Agency
• Lindane	58999	1	VOC = volatile organic compounds
• Methoxychlor	72435	1	
• MCPP	7085190	-	
• 2,4,5-T	93765	100	
• 1,1,1-TCA	71556	1	
• TCE	79016	1000	
• Toluene	108-88-3	1000	
• PCB	1336363	10	
• PCE	127184	1	
• Perchlorate	14797730	-	
• RDX	121824	-	
• Sodium hypochlorite	7681529	100	

EXHIBIT C

ENVIRONMENTAL PROTECTION PROVISIONS

1. LAND USE RESTRICTIONS

A. The United States Department of the Army (hereinafter the "Army") has undertaken careful environmental study of the Property and concluded that the land use restrictions set forth below are required to ensure protection of human health and the environment. The GRANTEE, its successors or assigns, shall not undertake nor allow any activity on or use of the Property that would violate the land use restrictions contained herein.

(1) Residential Use Restriction. The GRANTEE, its successors and assigns, shall use the Property solely for conservation of natural resources and not for residential purposes. For purposes of this provision, residential use includes, but is not limited to, single family or multi-family residences; child care facilities; and nursing home or assisted living facilities; provided, however, that residential purposes do not include multiple overnight stays associated with the Rustic Retreat Center and Outdoor School, day camping or overnight camping within existing or new buildings on the Property; provided further, however, that prior to the use of any buildings on the Property for such purposes, the responsible State of Washington and/or local government agency or agencies shall have made a written determination that the buildings are habitable and safe for such use under applicable state and/or local laws and regulations. Caretaker, security, and/or Parks & Recreation Department personnel wishing to live in existing buildings or newly-constructed buildings on the Property during remediation and post-remediation of the Property may not reside in such buildings until the responsible State of Washington and/or local government agency or agencies shall have made a written determination that such buildings are habitable and safe for such use under applicable state and/or local laws and regulations.

(2) Ground Water Restriction. The GRANTEE is hereby informed and acknowledges that there is limited contamination of the ground water under the Demolition Area 1/Landfill 4 area more particularly described in Exhibit D, attached hereto and made a part hereof. The GRANTEE, its successors and assigns, shall not have the right to access or use ground water underlying the Property for any purpose without the prior written approval of the Army and the Washington State Department of Ecology (hereinafter the "WDOE"). For the purpose of this restriction, "ground water" shall have the same meaning as in section 101(12) of CERCLA. The GRANTEE may, however, use the existing water systems at the Camp Killpack and Camp Bonneville cantonment areas and the caretaker's building for purposes of continuing to provide non-potable water to said facilities or for the provision of potable water provided that prior to use of said water systems for the provision of potable water, the responsible State of Washington and/or local government agency or agencies must make a determination that the water is suitable and safe for such use under applicable state and/or local laws and regulations. The GRANTEE shall have the right to develop other water systems, including those using groundwater underlying other areas of the Property, excluding the area underlying Demolition Area 1/Landfill 4 and the associated contaminant plume, provided, that the GRANTEE shall obtain the prior written approval of the WDOE and the Army.

(3) Excavation/Land Disturbance Restriction. The GRANTEE, its successors and assigns, shall not have the right to conduct, or permit others to conduct, any excavation or other intrusive activity on the Property, without qualified unexploded ordnance (hereinafter "UXO") personnel on staff or available and a Department of Defense (hereinafter "DoD") approved Explosives Safety Submission and/or explosives site plan.

(4) Public Access Restriction. The GRANTEE, its successors and assigns shall not have the right to provide access to the Property to members of the general public until such time as all remedial

EXHIBIT C

action necessary to protect human health and the environment with respect to hazardous substances remaining on the Property as of the date of this Deed, including munitions and explosives of concern (hereinafter "MEC"), has been taken and this restriction is modified or released by the GRANTOR. The restriction imposed herein shall not restrict the right of the GRANTEE, its successors and assigns to provide access to the Property to officers, employees, agents, and contractors of any tier for the purpose of conducting environmental remediation and MEC response actions. The GRANTEE covenants and agrees to construct and maintain a fence along the perimeter of the Property to control or restrict public access as needed. The GRANTEE further covenants and agrees to provide and maintain appropriate signage to inform its officers, employees, agents, and contractors of any tier and the general public about potential hazards on the Property.

(5) Notice of Archaeological Site and Preservation Covenant. In consideration of the conveyance of the Property that includes site 45-CL-318, and may include other as yet undiscovered archaeological sites on the Property, the GRANTEE hereby covenants on behalf of itself, its successors, and assigns at all times to the Washington State Historic Preservation Officer (hereinafter the "SHPO") to maintain and preserve site 45-CL-318 and all other as yet undiscovered archaeological sites in accordance with the provisions of the following paragraphs of this covenant.

- a. The GRANTEE, its successors or assigns shall notify the SHPO and the Cowlitz Indian Tribe in writing prior to undertaking any disturbance of the ground surface or any other action within 300 feet of the center of site 45-CL-318 that would affect its physical integrity. The center point of site 45-CL-318 is described as being located at 134810 E, 1150207 N, NAD 1983 HARN State Plane Washington South FIPS 4602 feet. Said site is more particularly described in Exhibit E, attached hereto and made a part hereof. Such notice shall describe in reasonable detail the proposed undertaking and its expected effect on the physical integrity of site 45-CL-318.
- b. For ground-disturbing activities other than remediation of MEC, the GRANTEE, its successors or assigns shall prepare and submit to the SHPO and the Cowlitz Indian Tribe a written assessment of project effects in advance of any ground-disturbing activity having moderate to high potential impacts within areas mapped as "20-100% probability" in the Clark County Archaeological Predictive Model Map, attached hereto as Exhibit F and made a part hereof, and having slopes less than 5%. The assessment of project effects will describe the proposed undertaking in reasonable detail, discuss its expected effects upon recorded or unrecorded archaeological resources, and will conclude with recommendations concerning the need for additional archaeological survey or other actions to avoid or mitigate adverse effects to archaeological resources, taking into account previous cultural resource surveys at the Property and other recorded archaeological sites in close proximity to the proposed project.
- c. The GRANTEE, its successors or assigns shall make every reasonable effort to prohibit any person from knowingly or inadvertently disturbing any archaeological object or archaeological site, as defined in RCW 27.53.030. In the event that any archaeological object or archaeological site is knowingly or inadvertently disturbed, the GRANTEE, its successors or assigns shall immediately stop the activity causing the disturbance and make a reasonable effort to protect the archaeological object or archaeological site from further disturbance. The GRANTEE, its successors or assigns shall provide written notification to the SHPO and the Cowlitz Indian Tribe within one (1) working day of the discovery. Within fifteen (15) calendar days of the discovery, the GRANTEE, its successors or assigns shall provide to the SHPO and the Cowlitz Indian Tribe a Draft Site Treatment and Restoration Plan to describe the actions the GRANTEE, its successors or assigns will take to mitigate the damage, restore the site of discovery, and provide for the treatment and disposition of any archaeological resources recovered.

EXHIBIT C

- d. Within thirty (30) calendar days of the SHPO's and Cowlitz Indian Tribe's receipt of notification provided by the GRANTEE, or its successors or assigns pursuant to paragraphs (a), (b), or (c) of this covenant, the SHPO and the Cowlitz Indian Tribe will respond to the GRANTEE, its successors or assigns in writing as follows:
1. That the GRANTEE, its successors or assigns may proceed with the proposed undertaking without further consultation; or
 2. That the GRANTEE, its successors or assigns must initiate and complete consultation with the SHPO before it can proceed with the proposed undertaking.
- If the SHPO and the Cowlitz Indian Tribe fail to respond to the GRANTEE's or its successors' or assigns' written notice within thirty (30) calendar days of the SHPO's and the Cowlitz Indian Tribe's receipt of the same, then the GRANTEE may proceed with the proposed undertaking without further consultation.
- e. If the response provided to the GRANTEE, its successors or assigns by the SHPO and the Cowlitz Indian Tribe pursuant to paragraph d.2. of this covenant requires consultation with the SHPO and the Cowlitz Indian Tribe, then all parties will so consult in good faith to arrive at mutually-agreeable and appropriate measures that GRANTEE, its successors or assigns will employ to mitigate any adverse effects associated with the proposed undertaking. Pursuant to this covenant, any mitigation measures to which GRANTEE, its successors or assigns and the SHPO mutually agree shall be carried out solely at the expense of GRANTEE, its successors or assigns.
- f. The SHPO and the Cowlitz Indian Tribe shall be permitted at all reasonable times to inspect the Property in order to ascertain its condition and to fulfill their responsibilities hereunder.
- g. In the event that another Indian tribe should request consultation regarding activities described in paragraphs (a), (b), or (c) of this covenant, the GRANTEE, its successors or assigns shall consult with such tribes consistent with Washington state law and ordinances of the GRANTEE.
- h. In the event of a knowing violation of this covenant, and in addition to any remedy now or hereafter provided by law, the SHPO may, following reasonable notice to the GRANTEE, its successors or assigns, institute suit to enjoin said violation or to require the restoration of any archaeological site affected by such violation. The successful party shall be entitled to recover all costs or expenses incurred in connection with any such suit, including all court costs and attorney's fees.
- i. This covenant is binding on the GRANTEE, its successors, and assigns in perpetuity. Restrictions, stipulations, and covenants contained herein shall be inserted by the GRANTEE verbatim or by express reference in any deed or other legal instrument by which it divests itself of either the fee simple title or any other lesser estate in site 45-CL-318 or any other portion of the Property.
- j. The failure of the SHPO to exercise any right or remedy granted under this instrument shall not have the effect of waiving or limiting the exercise of any other right or remedy or the use of such right or remedy at any other time.
- k. This covenant shall be a binding servitude upon the Property and shall be deemed to run with the land.
- l. Execution of this Deed shall constitute conclusive evidence that GRANTEE agrees to be bound by the foregoing conditions and restrictions and to perform the obligations herein set forth.

EXHIBIT C

B. Modifying Land Use Restrictions.

(1) The GRANTEE shall prepare Long Term Operation and Maintenance Plans (hereinafter "LTO&M Plans") as required by the Prospective Purchaser Consent Decree between the GRANTEE and Bonneville Conservation, Restoration, and Renewal Trust, LLC (hereinafter the "BCRRT") and Washington State Department of Ecology (hereinafter "WDOE") dated [insert date]. The LTO&M Plans shall identify any new land use restrictions or appropriate modifications to, or termination of, the land use restrictions established in this Deed based upon additional site characterization and remediation that will be completed pursuant to the Environmental Services Cooperative Agreement (hereinafter "ESCA") between the GRANTOR and the GRANTEE dated July 28, 2006, as modified. The LTO&M Plans must be reviewed by and agreed to by the GRANTOR prior to their submission to WDOE and must be approved by WDOE. Within 30 days of WDOE's approval of a LTO&M Plan, the GRANTOR and the GRANTEE shall prepare an appropriate instrument to revise, as necessary, the land use controls contained in this Deed to be consistent with those specified in the LTO&M Plan. This instrument shall be executed and recorded within 15 days of completion of the preparation of a mutually-satisfactory instrument.

(2) Nothing contained herein shall preclude the GRANTEE, its successors or assigns, from undertaking, in accordance with applicable laws and regulations and without any cost to the GRANTOR, such additional action necessary to allow for other less restrictive land use, groundwater, excavation/land disturbance or public access uses of the Property. Prior to such use of the Property, the GRANTEE, its successors or assigns shall consult with and obtain the approval of the GRANTOR, and, as appropriate, the State or Federal regulators, or the local authorities. Upon the GRANTEE's or its successors' or assigns' obtaining the approval of the GRANTOR and, as appropriate, state or federal regulators, or local authorities, the GRANTOR agrees to execute an instrument suitable for recordation in the local land records and modifying, as appropriate, the land use restrictions imposed hereunder. The recordation of any such instrument shall be the responsibility of the GRANTEE, or its successors or assigns and shall be accomplished at no additional cost to the GRANTOR.

(3) The GRANTEE, its successors and assigns, shall submit any requests for modifications to the land use restrictions set forth herein to the GRANTOR and the WDOE, by first class mail, postage prepaid, addressed as follows:

GRANTOR: U.S. Army Engineer District, Seattle
ATTN: CENWS-RE
3015 NW 54th Street,
Seattle, WA 98107

WDOE: Washington State Department of Ecology
Toxics Cleanup Program
P.O. Box 47600
Olympia, WA 98504-7600

2. ENVIRONMENTAL PROTECTION PROVISIONS BINDING AND ENFORCEABLE

The Environmental Protection Provisions in this Deed are binding on the GRANTEE, its successors and assigns and shall be included in subsequent deeds, shall run with the land, and are forever enforceable by the Grantor and appropriate regulatory agencies.

EXHIBIT C

3. DISRUPTION OF REMEDIES PROHIBITED

Pursuant to section 120(h)(3)(C)(ii)(II), the GRANTEE covenants and agrees for itself, its successors, and assigns, that it shall not, nor shall it allow its sublessees, tenants, invitees or licensees to engage in activities that will disrupt any remedial investigation, response action, and/or oversight activities on the Property related to hazardous substances or MEC.

4. NOTICE OF THE POTENTIAL PRESENCE OF MUNITIONS AND EXPLOSIVES OF CONCERN (MEC)

A. The GRANTEE is hereby notified that due to the former use of the Property as a military installation, the Property may contain MEC. The term "MEC" means specific categories of military munitions that may pose unique explosives safety risks and includes: (1) unexploded ordnance ("UXO"), as defined in 10 U.S.C. § 101(e)(5); (2) discarded military munitions ("DMM"), as defined in 10 U.S.C. § 2710(e)(2); and (3) munitions constituents (e.g. TNT, RDX), as defined in 10 U.S.C. § 2710(e)(3), present in high enough concentrations to pose an explosive hazard.)

B. The Property was previously used as an operational range for live-fire training or testing, open burning, and for open detonation of munitions. A munitions response was conducted in 1998 and 2000. Munitions response activities have not been completed. A summary of MEC discovered on the Property is provided in Exhibit G, attached hereto and made a part hereof.

C. If the GRANTEE, its successors or assigns, any subsequent owner, or any other person should find any MEC on the Property after response activities are completed, they shall immediately stop any intrusive or ground-disturbing work in the area or in any adjacent areas and shall not attempt to disturb, remove or destroy it, but shall immediately notify Local Law Enforcement so that appropriate explosive ordnance disposal personnel can be dispatched to address such MEC as required under applicable law and regulations and the ESCA. This requirement does not apply while conducting munitions response. During such munitions responses, any MEC encountered will be addressed per the procedures outlined in the DDESB-approved explosives safety submission and/or the explosives site plan.

D. Easement and Access Rights.

(1) The GRANTOR reserves a perpetual and assignable easement and right of access on, over, and through the Property, to access and enter upon the Property in any case in which a munitions response action is found to be necessary or such access and entrance is necessary to carry out a munitions response action on adjoining property. Such easement and right of access includes, without limitation, the right to perform any additional investigation, sampling, testing, test-pitting, surface and subsurface clearance operations, or any other munitions response action necessary for the GRANTOR to meet its responsibilities under applicable laws and as provided for in this Deed. This easement and right of access shall be binding on the GRANTEE, its successors and assigns, and shall run with the land.

(2) In exercising this easement and right of access, the GRANTOR shall give the GRANTEE or the then record owner, reasonable notice of the intent to enter on the Property, except in emergency situations. The GRANTOR shall use reasonable means, without significant additional cost to the GRANTOR, to avoid and/or minimize interference with the GRANTEE's and the GRANTEE's successors' and assigns' quiet enjoyment of the Property. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the property at a reasonable charge to the GRANTOR. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the GRANTEE or its

EXHIBIT C

successors or assigns, for the exercise of the easement and right of access hereby retained and reserved by the GRANTOR.

(3) The GRANTOR and the GRANTEE agree that if any action of the GRANTOR's officers, employees, agents, contractors of any tier, or servants in the exercise of this right of access results in damage to the Property, the GRANTOR shall, at its sole discretion, either make reasonable repairs to or compensate for such damage. In no event shall such repair, or compensation, exceed the fair market value of the damaged portion of the Property at the time immediately preceding such damage. The GRANTOR's liability under this clause shall be contingent upon the availability of, and shall not exceed, appropriations available for such payment and nothing contained in this Deed may be considered as implying that Congress will at a later date appropriate funds sufficient to meet deficiencies. The GRANTEE covenants and agrees for itself, its successors and assigns that it shall not cause or permit any interference with any munitions response action conducted by the GRANTOR on the Property

E. The GRANTEE acknowledges receipt of or access to the Administrative Record which contains MEC related documents.

5. NOTICE OF THE PRESENCE OF ASBESTOS AND COVENANT

A. The GRANTEE is hereby informed and does acknowledge that friable and non-friable asbestos or asbestos containing material (hereinafter "ACM") has been found on the Property. The Property may also contain improvements, such as buildings, facilities, equipment, and pipelines, above and below the ground, that contain friable and non-friable asbestos or ACM. The Occupational Safety and Health Administration (OSHA) and the U.S. Environmental Protection Agency have determined that unprotected or unregulated exposure to airborne asbestos fibers increases the risk of asbestos-related diseases, including certain cancers that can result in disability or death.

B. The following buildings on the Property have been determined to contain friable asbestos: 1828, 1864, 1930, 1934, 1980, and 4155. The GRANTEE agrees to undertake any and all asbestos abatement or remediation in the aforementioned buildings that may be required under applicable law or regulation at no expense to the GRANTOR. The GRANTOR has agreed to transfer said buildings to the GRANTEE, prior to remediation or abatement of asbestos hazards, in reliance upon the GRANTEE's express representation and covenant to perform the required asbestos abatement or remediation of the said buildings.

C. The GRANTEE covenants and agrees that its use and occupancy of the Property will be in compliance with all applicable laws relating to asbestos. The GRANTEE agrees to be responsible for any future remediation or abatement of asbestos found to be necessary on the Property to include ACM in or on buried pipelines that may be required under applicable law or regulation.

D. The GRANTEE acknowledges that it has inspected or has had the opportunity to inspect the Property as to its asbestos and ACM condition and any hazardous or environmental conditions relating thereto. The GRANTEE shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property, including, without limitation, any asbestos or ACM hazards or concerns.

6. NOTICE OF THE PRESENCE OF LEAD-BASED PAINT (LBP) AND COVENANT AGAINST THE USE OF THE PROPERTY FOR RESIDENTIAL PURPOSES

A. The GRANTEE is hereby informed and does acknowledge that all buildings on the Property, which were constructed or rehabilitated prior to 1978, are presumed to contain lead-based paint. Lead

EXHIBIT C

from paint, paint chips, and dust can pose health hazards if not managed properly. Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that there is a risk of exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning.

B. The GRANTEE covenants and agrees for itself, its successors and assigns that it shall not permit the occupancy or use of any buildings or structures on the Property as Residential Property, as defined under 24 Code of Federal Regulations Part 35, without complying with this notice and covenant and all applicable federal, state, and local laws and regulations pertaining to lead-based paint and/or lead-based paint hazards. Prior to permitting the occupancy of the Property where its use subsequent to conveyance is intended for residential habitation, the GRANTEE specifically agrees to perform, at its sole expense, the Army's abatement requirements under Title X of the Housing and Community Development Act of 1992 (Residential Lead-Based Paint Hazard Reduction Act of 1992), as amended.

C. The GRANTEE acknowledges that it has inspected or has had the opportunity to inspect the Property as to its lead-based paint content and condition and any hazardous or environmental conditions relating thereto. The GRANTEE shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property, including, without limitation, any lead-based paint hazards or concerns.

EXHIBIT D

Demolition Area 1/Landfill 4

A parcel of land located in the northeast quarter (NE¼) of Section 35, Township 3 North, Range 3 East, Willamette Meridian, situate in Clark County, Washington; and more particularly described as follows:

Commencing at the north quarter corner of the said Section 35, thence south 08°10'13" east, a distance of 975.35 feet to the northwest (NW) corner of said parcel and the **TRUE POINT OF BEGINNING**; thence north 90°00'00" east, a distance of 500 feet; thence south 0°00'00" east, a distance of 100 feet; thence south 90°00'00" east, a distance of 100 feet; thence south 0°00'00" east, a distance of 600 feet; thence south 90°00'00" west, a distance of 500 feet; thence north 0°00'00" east, a distance of 100 feet; thence south 90°00'00" west, a distance of 100 feet; thence north 0°00'00" east, a distance of 100 feet; thence south 90°00'00" west, a distance of 100 feet; thence north 0°00'00" east, a distance of 400 feet; thence south 90°00'00" east, a distance of 100 feet; thence north 0°00'00" east, a distance of 100 feet to the **TRUE POINT OF BEGINNING**.

Contains 10.1 acres, more or less.

This description is based on GIS data used for a map known as figure 5.1 (page 5.3) which is attached to a report titled "Camp Bonneville, Site Specific Fact Sheets, Remedial Action Unit 3, Vancouver, Washington". The report was provided by Parsons for the U.S. Army Corps of Engineers, Seattle District and Huntsville Center (dated August 2005, Contract No DACA87-00D-0038, delivery order 0017).

Doc. 001930.

All Public Land Survey section corners and section lines are based on a record of survey (ROS) performed by the county surveyor of Clark County, Washington (dated May 15, 2006 and filed in Book 56, page 7). The basis of bearing according to said ROS is grid and adjusted to the Washington State Plane Coordinate System, south zone, NAD 83 (91). All distances are grid.

EXHIBIT E

Cultural Area 45-C1-318

A circular parcel of land located in the south half northeast quarter (S½NE¼) and the southeast quarter (SE¼) of Section 3, Township 2 North, Range 3 East, Willamette Meridian, Clark County, Washington; having a radius of 300 feet and with a location described as follows:

Commencing at the section corner common to Sections 3, 4, 9, and 10, Township 2 North, Range 3 East; thence north 22°00'34" west, a distance of 2,789.59 feet to the **CENTER** of the circle, said circle being the entire buffer area for Cultural Site 45-C1-318. Contains 6.5 acres, more or less.

This description is based on GIS data used for a report titled "Camp Bonneville, Site Specific Fact Sheets, Remedial Action Unit 3, Vancouver, Washington". The report was provided by Parsons for the U.S. Army Corps of Engineers, Seattle District and Huntsville Center (dated August 2005, Contract No DACA87-00D-0038, delivery order 0017).

Doc. 001940

All Public Land Survey section corners and section lines are based on a record of survey (ROS) performed by the county surveyor of Clark County, Washington (dated May 15, 2006 and filed in Book 56, page 7). The basis of bearing according to said ROS is grid and adjusted to the Washington State Plane Coordinate System, south zone, NAD 83 (91). All distances are grid.

Exhibit F



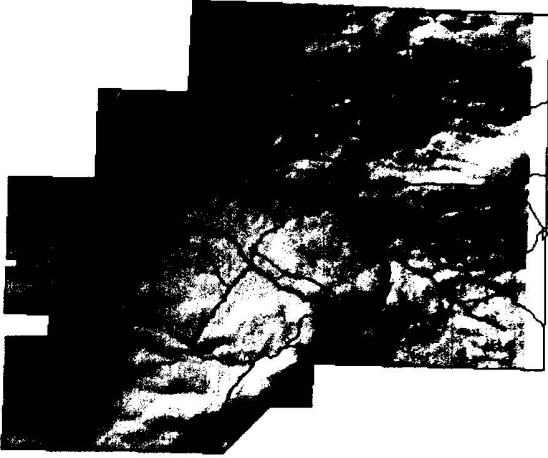
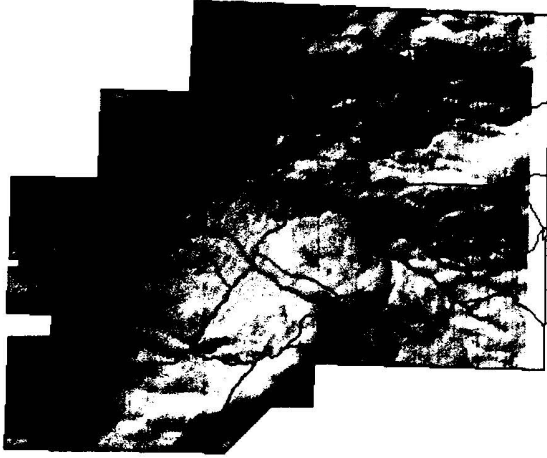
	
<p>1. 45-CL-318 shown in purple with 300' diameter. Clark County shall notify the SHPO in writing prior to undertaking any disturbance of the ground surface or any other action that would affect its physical integrity.</p>	<p>2. Clark County Archaeological Predictive Model. Colored areas are "20-100% probability areas"</p>
	
<p>3. Areas with less than 5% slope are shown in green.</p>	<p>4. Areas mapped as "20-100% probability" in the Clark County Archaeological Predictive Model Map and having slopes less than 5%. Clark County shall prepare and submit to the SHPO a written assessment of project effects in advance of any ground-disturbing activity having moderate to high potential impacts within these areas.</p>

EXHIBIT G

<p>Unexploded Ordnance – Based on past reuse of the Property, the potential for MEC exists anywhere on site. Specific information regarding known target areas with higher likelihood of MEC is included below.</p>			
<p>Landfill 2 (Sewage Lagoons and Historic Landfill)</p>	<p>This landfill was discovered in 1978 during the construction of the sewage lagoon. The landfill may have been used from the 1940s to the 1950s; however, the type and quantity of material located at this site is unknown.</p>	<p>Unknown</p>	<p>A UXO avoidance/screening and electromagnetic survey identified pipes, vehicle parts, wiring and one undetonated 2.36-inch light anti-tank weapon, which was disposed of by the Ft Lewis EOD.</p>
<p>Demolition Area 3 (DA 3)</p>	<p>DA 3 is a surface depression that may be an excavation or possibly a detonation crater. The location is about 2000 feet upstream of the base boundary in Lacamas Creek Valley. The crater is approximately 20 feet in diameter and 10 feet deep. DA 3 is located west of the gas pipeline right-of-way that crosses Camp Bonneville. DA 3 may have been used for detonation of unwanted ordnance. The crater is situated several hundred feet south of Lacamas Creek in an area where the valley is wide and relatively flat. The ground surface at DA 3 is hummocky with seasonal wetland vegetation.</p>	<p>Unknown</p>	<p>Soil samples were collected from borings advanced immediately around the depression and from a nearby location where metallic debris (one drum and shell fragments) was found and later removed and disposed of. All soil samples were tested for explosives, perchlorate, and total metals. Test results of soil boring samples indicate no explosives or perchlorate concentrations above the testing instrument's reporting limit. Test results of soil samples collected from the former debris piles indicate no explosives, perchlorate, or picric acid. Metals were detected in samples collected from the borings and the debris pile but at concentrations at background levels and/or below screening or cleanup levels. Arsenic, barium, copper, and mercury were detected at concentrations that required a terrestrial ecological evaluation. The evaluation determined that these metals are not a potential threat to ecological receptors. No ordnance and explosives sampling and removal activities were conducted at this site, but a 37mm practice round was recovered from an old crushed burn barrel found at the site.</p>
<p>Small-arms Ranges – not considered/included as MEC</p>	<p>There are 21 small-arms ranges on the Property. For a description of the small-arms ranges see Table 1- Description of Property.</p>	<p>Unknown</p>	<p>The following is a general description of the investigations and remediations conducted at the 21 small-arms ranges.</p> <p>The U.S. Army Corps of Engineers (1997) prepared an archive search report (ASR) to collect information pertinent to the small - arms ranges at Camp Bonneville. The small arms ranges were investigated as part of the base-wide reconnaissance effort. As a result of this reconnaissance, a site investigation was conducted that consist of gridding the small-arms ranges and collecting soil samples. The soil samples were tested for total metals, perchlorate, explosives, and lead. Arsenic and barium were the only metals detected above background levels. Perchlorate was not detected in the soil samples. The compound 2, 4-dinitrotoluene (DNT) was the only explosive compound detected in the soil (small-arms range: 25M Machine Gun Range), and at concentrations that range from 4.9 to 20 mg/kg. The U.S. EPA Region 9 residential and industrial</p>

			use criteria for DNT in soil are 120 and 1,800 mg/kg, respectively. Some OE sampling and removal activities were conducted in the area of the small-arms ranges as part of a site-wide effort performed by UXB (1998).
Site-wide Actions	<p>This site/area is RAU 3, which consists of all artillery and mortar firing points and safety fans. Collectively these sites cover most of the Property.</p> <p>OE removal actions were conducted at Training Areas 8 (TA 8) and Training Area 9 (TA 9). These areas are located southeast of the cantonment areas and include portions of Sub-caliber Range 1 and Machine Gun Range-North. See Figures 6 Remedial Action Unit 2A and Figure 11 Training Ranges 8 and 9 for the location of the aforementioned ranges.</p>	Unknown	<p>MEC characterization and removal activities have been conducted at Camp Bonneville. UXB International, Inc. (1998) conducted a site-wide OE sampling and removal action; UXB (2000) also conducted an OE sampling and removal action at Training Area 8 (TA 8) and at TA 9, and Parsons Engineering Science, Inc. (2004) completed a remedial investigation/feasibility study (RI/FS) of RAU 3. Two hundred and seven grids were established throughout the site. Each grid measured 100 x 100 feet (a total area of approximately 50 acres). UXO technicians investigated 2,468 anomalies finding 25 live UXO; 212.7 pounds of OE-related scrap, and 185 pounds of non-OE related scrap. As a result of this effort, UXB returned and conducted a sampling and removal action in an 18.9-acre area encompassing TA 8 and TA 9. In addition, UXB conducted a preliminary survey of 1.5 acres at Demolition Area 1. During this action, 106,341 areas were excavated. Nine UXO items were removed and disposed of. In addition, 3,888 pounds of OE scrap and 683 pounds of non-OE scrap were removed. A total of 16,004 discrete reconnaissance data waypoints have been collected, analyzed, and mapped using digital technology and GIS geo-spatial analysis during the 2001/2002 site reconnaissance efforts. Over 2,400 acres of the 3,980 total acres were characterized for munitions and explosives of concern (MEC) and related activities. A solitary UXO item (105 mm artillery shell) was located in the Central Impact Target Area. A total of 58 inert munitions debris (MD) were located and recovered during the reconnaissance field efforts. The MD items included a total of 27 expended pyrotechnic devices, 7 expended smoke grenades, 9 expended practice 40mm projectiles, and 15 expended practice rockets and rocket motors.</p> <p>Depending upon the location of a training area, the training area may include undeveloped land, firing points and ranges. Ordnance and explosives removal actions were conducted in Training areas 8 and 9, which are located southeast of the cantonment areas, Figure 12. The August 2000 <i>Final Removal Report Ordnance and Explosives Removal Actions Camp Bonneville, Vancouver, Washington</i> indicates that TA 8 and TA 9 were impact areas 60mm and 81mm full-size practice rounds, 35mm light anti-tank weapon rounds, and 40mm practice grenades.</p>
Discarded Military Munitions			
Demolition Area 1 and Landfill 4	This area, located in the north-central part of the Property, was a former	Unknown	A site investigation (SI) was conducted in 1998-1999 4 to evaluate the potential for contamination resulting from past uses of the

	<p>ordnance burn and ordnance detonation site and a landfill. The site slopes downward to the west, toward the north fork of Lacamas Cree which flows southward into the main branch of Lacamas Creek. Several patches of soil on the site surface were reported to have a pinkish-red hue and were generally devoid of vegetation. The cause of this discoloration was not known; however, similarly discolored soil had been reported at other sites where explosives contamination had been detected in shallow soil. A firebreak surrounds the area just outside of a barbed-wire fence line. Surface debris consisted primarily of metal scraps such as wiring, metal shards, and automobile parts. Vancouver Barracks reportedly used the site for the disposal of building demolition debris during the mid-1960s. In addition, the site has been used by a number of groups and agencies, including the Army, Portland Air National Guard (PANG), local fire departments and law-enforcement for training and disposal operations. Reportedly, the site has been used for the disposal of firearms, destruction of AIM 7E Sparrow Missiles and Mark 38 rocket motors, and for demolition training.</p>		<p>landfill. The SI included a UXO avoidance survey, geophysical survey, surface and subsurface sampling, and groundwater sampling. Test results of soil samples indicate concentrations of various metals. Only barium, copper, and chromium were detected at concentrations exceeding the regulatory/risk-based criteria. One or more SVOCs, insecticides, herbicides and VOCs were detected, but at concentrations below screening criteria. The only groundwater constituent detected at a concentration exceeding a screening level was RDX (44 ug/l). This compound was detected in the down-gradient well only.</p> <p>In 2001, an expanded site investigation (ESI) of the landfill was conducted based on the previous detection of RDX. The ESI focused primarily on groundwater and included the installation of eight monitoring wells (one well could not be used because it was dry). Four quarterly rounds (July 2001, October 2001, January 2002, and April 2002) of groundwater sampling were conducted. Well samples were also collected in January 2003. Samples collected from the wells were tested for explosives residues, nitroguanidine, perchlorate ion, VOCs, SVOCs, organochlorine herbicides PPL metals (total and dissolved), total cyanide TPH and water quality parameters. Tests results indicate that explosives and propellants (2, 4-DNT, RDX, and perchlorate) were detected in all but one monitoring well, and were also detected in the up-gradient well. These constituents were detected in concentrations exceeding screening criteria in the initial groundwater sampling rounds and the final sampling round. Dichlorofluoromethane, 1,1,1-TCA, 1,1-DCE, and PCE were also detected above screening levels.</p> <p>In 2004, approximately 5,000 cys of contaminated soil (metals and commercially available fireworks) was removed (interim action) and disposed of at an off-site facility. The excavation was backfilled to grade. The monitoring wells at the site will be sampled on a quarterly basis.</p>
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Munitions Constituents

<p>Ammunitions Storage Bunkers (Facility Nos. 2950, 2951, and 2953)</p>	<p>These bunkers were constructed in 1976 to store various munitions. They range in size from 4 sq. ft. to 100 sq. ft. The magazines are fenced.</p>	<p>Unknown</p>	<p>In 1998, fifteen sampling locations (nine at the largest bunker and three each at the two smaller bunkers) were selected for the collection of surface and subsurface soil samples. A soil boring was also advanced at each bunker based on the results of the surface soil tests from soil samples collected from inside the bunkers. Wipe samples were collected from the floors in each magazine. The soil samples collected from inside the bunker and the wipe sample tests results show RDX (below reporting levels) and all the PPL metals except selenium and thallium in Facility 2950. Arsenic, beryllium, cadmium, chromium, lead, and mercury were detected in the soil samples collected from inside the bunker at concentrations that</p>
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			<p>exceed the MTCA cleanup criteria. Arsenic, beryllium, and cadmium concentrations were also above background levels. PETN was detected in one bunker; however, there is no established cleanup concentration for PETN. No organic compounds were detected above reporting limits in the surface soil samples collected outside the bunker. Arsenic, cadmium, chromium, and lead were detected at concentrations above MTCA cleanup criteria and background levels in the surface soil samples collected outside the bunker. In 2001, surface and subsurface soil samples were collected from Facility 2953. PETN, picric acid, and 2,4-dinitrotoluene were detected in the surface soil samples at concentrations below MTCA cleanup criteria. No ordnance compounds or propellants were detected in the subsurface soil samples. Metals were detected in the surface soil samples. Arsenic and chromium were detected above MTCA cleanup criteria. Lead was detected above the MTCA cleanup criteria and background levels.</p> <p>In May 2001, contaminated soils at the three bunkers were excavated to 1-foot below grade. Confirmatory samples were collected and the test results indicated no residual contaminants above regulatory criteria or background levels. The excavations were backfilled and the contaminated soil and wood from pallets inside the bunker were disposed of at an off-site facility. The interior surfaces of the bunker were cleaned.</p>
Demolition Area 1 and Landfill 4	See Discarded Military Munitions	Unknown	See Discarded Military Munitions
Airstrip	The 4.5- acre airstrip is located along an open area near the main entrance.	Unknown.	No MEC was found during an investigation of this area.
Camp Bonneville Cantonment	This 5.1-acre area is comprised of buildings and open grassy areas.	Unknown	No MEC was found during an investigation of this area.
Camp Killpack	This 5-acre area was previously used for troop barracks.	Unknown.	No MEC was found during an investigation of this area.
Bonneville Parade Ground	This is an open grassy area.	Unknown.	No MEC was found during an investigation of this area.

OB/OD Areas	This 6.5-acre area consists of 3 demolition areas.	Unknown.	Subsurface removal action is completed at demolition area 1.
Target Area	These areas combine to be approximately 12 acres.	Unknown.	A potential MEC-risk was identified during investigation.
Central Impact Target Area	This 465-acre area was previously used as an artillery target area.	Unknown.	A MEC-risk was identified during investigation.
Firing Points	The 19-acre Firing Points area consists of 6 mortar firing points, 7 artillery firing points, 1 rifle grenade firing point and 1 3.5-inch rocket firing point.	Unknown.	No MEC was found during an investigation of this area.
West Side of Proposed Park	This 600-acre area was historically used as a maneuver area.	Unknown.	No MEC was found during an investigation of this area.
Roads and Trails	The roads and trails have been in use for approximately 35 years. No MEC risk has been identified.	Unknown.	No MEC was found during an investigation of this area.
Wildlife Management Area	This 2050-acre area was used as a former range fans and maneuver areas.	Unknown.	A potential MEC-risk was identified during investigation.
Current FBI Training Area	The parcel will continue to be used for FBI training until October 2006.	Unknown.	A potential MEC-risk was identified during investigation.
Designated Reuse Areas Located Outside the Park	This area includes a former combat pistol range.	Unknown.	A potential MEC-risk was identified during investigation.
Southwest Lacarnas Valley	This 98-acre area was historically used for small arms training.	Unknown.	A potential MEC-risk was identified during investigation.
Notes:			
<ol style="list-style-type: none"> 1) Munitions and Explosives of Concern (MECs) distinguishes specific categories of military munitions that may pose unique explosives safety risks, means: (A) Unexploded Ordnance (UXO), as defined in 10 §101(e)(5); (B) Discarded military munitions (DMM), as defined in 10 U.S.C. §2710(e)(2); or (C) Munitions constituents (e.g., TNT, RDX), as defined in 10 U.S.C. §2710(e)(3), present in high enough concentrations to pose an explosive hazard. 2) See, Attachment 1-Document List for documents that pertain to MECs. 			

EXHIBIT D

LEGAL DESCRIPTION OF LEASE PREMISES

All of Section 36, Township 3 North, Range 3 East, W.M., and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the NW $\frac{1}{4}$ of Section 11, Township 3 North, Range 3 East, W.M., except all of that portion thereof lying southerly and easterly of the diagonal line from the northeast corner to the southwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 3 North, Range 3 East, W.M., in Clark County, Washington, containing 820 acres more or less.



Base Realignment and Closure (BRAC): Transfer and Disposal of Military Property

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Summary

The Defense Base Closure and Realignment Act of 1990 (P.L. 100-526) and the Federal Property and Administrative Services Act of 1949 (P.L. 81-152) provide the basic framework for the transfer and disposal of military installations closed during the base realignment and closure (BRAC) process. In general, property at BRAC installations is first subjected to screening for use by the Department of Defense and by other federal agencies. If no federal use for the property can be found or if an application for transfer is rejected, the property is deemed “surplus” to the needs of the federal government and made available for disposal through other mechanisms.

At this point, BRAC property is subjected to two simultaneous evaluation processes: the redevelopment planning process performed by a local redevelopment authority composed of various interested representatives of the community affected by the BRAC action; and a Department of Defense analysis prepared under the aegis of the National Environmental Policy Act and, eventually, informed by the local redevelopment plan.

As a part of this process, screening of the property must be performed to determine if a homeless assistance use would be appropriate. There are also a variety of “public benefit transfers,” under which the property may be conveyed for various specified public purposes at reduced cost. It is also possible to dispose of BRAC property through the use of a public auction or negotiated sale, for which fair market value or a proxy for fair market value must generally be obtained. Finally the law governing the BRAC process authorizes economic development conveyances, through which a local redevelopment authority may obtain the property for specified purposes, sometimes for no consideration.

The BRAC property transfer process has been altered, both legislatively and administratively, throughout the numerous authorized closure rounds. Most recently, the National Defense Authorization Act for Fiscal Year 2010 (P.L. 111-84) amended the law with respect to economic development conveyances at no cost to local redevelopment authorities. This report provides an overview of the various authorities available under the current law and describes the planning process for the redevelopment of BRAC properties.

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Introduction

The nation's military installations have gone through several rounds of base realignments and closures (BRAC), the process by which excess military facilities are identified and, as necessary, transferred to other federal agencies or disposed of, placing ownership in non-federal entities. Since the enactment of the Defense Base Closure and Realignment Act of 1990, as amended (Base Closure Act), transfer or disposal of former military installations has been governed by relatively consistent legal requirements.

On December 28, 2001, a round of base closures was authorized by Congress.¹ The BRAC process requires the Secretary of Defense to prepare and submit a list of military installations recommended for closure or realignment to the congressional defense committees and an independent commission.² The independent BRAC Commission, created by the Base Closure Act,³ is required to review and analyze the Department of Defense's (DOD) recommendations and submit a report to the President with findings and conclusions that accept, reject, and/or modify the recommendations.⁴ The President reviews the BRAC Commission report, and upon acceptance of the recommendations, submits it to Congress.⁵ If the President fails to submit the recommendations to Congress within the timeframe required under the Base Closure Act, the BRAC process is terminated.⁶ Upon receipt of the report from the President, Congress has the opportunity to disapprove of the recommendations through the enactment of a joint resolution.⁷ The 2005 BRAC Commission considered 190 separate DOD recommendations, a number exceeding the number of recommendations considered by all previous BRAC Commissions combined.⁸ Ultimately, the BRAC Commission recommended a total of 182 closures or realignments with an estimated savings to the taxpayer of \$15 billion over 20 years.⁹ The recommendations were accepted by the President and forwarded to Congress.¹⁰ Congress did not disapprove of the report and, therefore, the recommendations became law on November 9, 2005.¹¹

¹ National Defense Authorization Act for Fiscal Year 2002, Act of December 28, 2001, P.L. 107-107, 115 Stat 1012 (current version at 10 U.S.C. § 2687 note).

² Base Closure Act at § 2903(c).

³ *Id.* at § 2902.

⁴ *Id.* at § 2903(c).

⁵ *Id.* at § 2903(e) (The President may disapprove all or part of the recommendations, in which case, the report is returned to the Commission. The Commission must then submit a revised list to the President. If the President approves the revised list, it is forwarded to Congress, but if the President does not approve the revised list, the BRAC process is terminated.).

⁶ *Id.*

⁷ *Id.* at § 2904(b).

⁸ The Defense Base Closure and Realignment Commission, *2005 Defense Base Closure and Realignment Commission Report*, Executive Summary, September 2005 (Available online at <http://www.brac.gov>).

⁹ *Id.*

¹⁰ In *Dalton v. Specter*, 511 U.S. 462 (1994), the U.S. Supreme Court held that actions by the Secretary of Defense and the BRAC Commission are not reviewable final agency actions within the meaning of the Administrative Procedure Act (APA), since their reports recommending base closings carry no direct consequences. However, the action of the President will directly affect bases and, as such, is the final action affecting the military installations; but because the President is not an agency under the APA, that action is not reviewable under the act. The Court further held that where a statute commits decision-making to the President's discretion, judicial review of his decision is not available.

¹¹ Donna Miles, "BRAC Deadline Expires; DOD to Begin Closures, Realignments," *American Forces Press Service*, (continued...)

The current BRAC law is similar to the original statute and retains many of the transfer authorities that were available in previous rounds. Significant amendments in 1999 and 2001 altered portions of the law's disposal authorities, including requirements related to economic development conveyances. Consequently, DOD promulgated new regulations to implement the property disposal authorities available for the 2005 round.¹² However, in 2009, Congress amended the law as it relates to economic development conveyances requiring DOD to issue revised regulations. This report provides an overview of the transfer and disposal authorities available under the law for military installations closed during the 2005 round, and indicate how amendments to the Base Closure Act have altered the property transfer and disposal process.¹³ It also describes DOD's regulations implementing the amended Base Closure Act.

Transfer, Disposal, and Leasing Authorities

The transfer or disposal of federal property is primarily performed by the General Services Administration (GSA) pursuant to the Federal Property and Administrative Services Act of 1949 (FPASA).¹⁴ The Base Closure Act directs the Administrator of the GSA to delegate specified transfer and disposal authorities to DOD for use at BRAC installations, and DOD has, in turn, delegated this authority to the various military departments.¹⁵ Thus, BRAC property transfer and disposal is performed, generally, in accordance with the FPASA and the GSA regulations implementing it. In addition, the Base Closure Act authorizes DOD, with GSA approval, to supersede GSA regulations with BRAC-specific regulations.¹⁶

Apart from the transfer and disposal authorities typically available for federal property, the Base Closure Act and other provisions of law authorize a variety of other conveyance mechanisms. The available authorities include: public benefit transfers, economic development conveyances (at cost and no cost), negotiated sales to state or local governments, conservation conveyances, and public sales.¹⁷ In some cases, the analysis and use of particular authorities must precede analysis and use of others. On the other hand, there are many transfer and disposal mechanisms that are given roughly equivalent priority; thus analysis and use of them may occur simultaneously.

In addition to DOD's role in making disposal and transfer determinations, the Base Closure Act also provides a substantial role for states and communities in the property redevelopment planning process. Thus, local communities can significantly affect the BRAC property transfer

(...continued)

News Articles, November 9, 2005.

¹² 32 C.F.R. pt. 174.

¹³ It should be noted that significant issues related to environmental cleanup under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) exist at some BRAC properties and that the use of certain property transfer authorities may be contingent upon adequate performance of CERCLA obligations or agreement by the acquiring entity to accept liability for environmental cleanup. See 42 U.S.C. § 9620(h); P.L. 107-107, § 3006. For background on environmental cleanup issues and BRAC, see CRS Report RS22065, *Military Base Closures: Cleanup of Contaminated Properties for Civilian Reuse*, by David M. Bearden.

¹⁴ Act of June 30, 1949, ch. 288, 63 Stat 377. Transfer and disposal authority is codified at 40 U.S.C. §§ 521-559.

¹⁵ Base Closure Act, § 2905(b); 32 C.F.R. § 174.5.

¹⁶ Base Closure Act, § 2905(b).

¹⁷ 32 C.F.R. § 174.4(b).

and disposal decisions made at the federal level. The specific roles for states and communities as well as the various transfer and disposal authorities are discussed below.

Local Redevelopment Authorities (LRAs)

Pursuant to the act, an LRA is “any entity (including an entity established by a State or local government) recognized by the Secretary of Defense as the entity responsible for developing the redevelopment plan with respect to the installation or for directing the implementation of such plan.”¹⁸ DOD must prepare an environmental impact analysis under the National Environmental Policy Act (NEPA), in which it must examine all reasonable disposal alternatives and make its own disposal decisions.¹⁹ However, LRAs are responsible for designing a comprehensive plan for reuse of BRAC property, culminating in a redevelopment plan, which is submitted to DOD and included as part of the proposed federal action.²⁰ While the redevelopment plan is not binding on DOD, it may have significant influence on its disposal decisions, and, in some instances, DOD is statutorily directed to give the plan considerable weight.²¹ Local zoning authorities and state land use regulations may also impact the disposal decisions made by DOD.

The Base Closure Act does not establish statutory requirements for the formation of LRAs. DOD regulations provide that the LRA should have “broad-based membership, including, but not limited to, representatives from those jurisdictions with zoning authority over the property.”²² The regulations further state that “[g]enerally, there will be one recognized LRA per installation.”²³ In the event that a LRA is not recognized by DOD, or if the LRA fails to timely submit a redevelopment plan, the Secretary concerned is required to consult with the state’s Governor and heads of local governments before proceeding with the disposal of the property according to applicable laws.²⁴

Transfers for Federal Utilization

It is DOD policy to act expeditiously under the BRAC process, whether it is the closing or realigning of an installation, in order to facilitate the transfer of real property for community reuse.²⁵ Prior to consideration of transfer to a non-federal entity, the property must be screened for continued federal use.

DOD Components or Other Agencies

The first step in the property transfer process begins when the military service in possession of a BRAC property notifies other DOD components and federal agencies that property is in

¹⁸ Base Closure Act, § 2910(9).

¹⁹ 42 U.S.C. §§ 4321 *et seq.*

²⁰ 32 C.F.R. § 174.6.

²¹ The specific requirements impacting the LRA planning process and DOD’s eventual disposal of property are discussed in the sections of this report addressing each disposal mechanism.

²² 32 C.F.R. § 174.6(a).

²³ *Id.*

²⁴ Base Closure Act, § 2905(b)(3)(B); 32 C.F.R. § 174.6(c)(2).

²⁵ 32 C.F.R. § 174.4.

“excess”²⁶ to its needs and has become available.²⁷ If a DOD component or other federal agency wishes to acquire BRAC property, it must “provide a written, firm expression of interest ... [and] explain the intended use and the corresponding requirement for the buildings and property” within thirty days of the notice of availability,²⁸ followed by an application for transfer of the property.²⁹ The application must support a variety of transfer requirements, including that the property requested be better suited to the requestor’s needs than its existing property or other properties and that the transfer would not create a new government program.³⁰ During the federal screening, the Secretary concerned is required to keep the LRA informed of the progress and to provide contact information for federal agencies so that the LRA may be involved.³¹ DOD components and other agencies are encouraged to include the LRA, if it exists, in discussions related to the proposed use of the property.³² Ultimately, it is the responsibility of the transferring DOD component to review the applications and make a determination as to whether the transfer is appropriate based on several factors:

- the requirement for additional property must be valid and appropriate;
- the proposed use is consistent with the highest and best use of the property;
- the proposed transfer will not have an adverse impact on the transfer of any remaining portion of the installation;
- the proposed transfer will not establish a new program or substantially increase the level of a component’s or agency’s existing programs;
- the application offers fair market value for the property, unless waived;
- the proposed transfer addresses applicable environmental responsibilities to the satisfaction of the Secretary concerned; and
- the proposed transfer is in the best interest of the Government.³³

In the event multiple acceptable applications for the same piece of BRAC property are submitted, the Secretary must consider, in order:

- the need to perform the national defense missions of the Department of Defense and the Coast Guard;
- the need to support the homeland defense mission; and
- the LRA’s comments as well as other factors in the determination of highest and best use.³⁴

²⁶ “Excess” property is defined as “property under the control of a federal agency that the head of the agency determines is not required to meet the agency’s needs or responsibilities.” 40 U.S.C. § 102(3); 32 C.F.R. § 174.3(e).

²⁷ 32 C.F.R. § 174.7(a), (c).

²⁸ *Id.* at § 174.7(d).

²⁹ *Id.* at § 174.7(e).

³⁰ *Id.* at § 174.7(h).

³¹ *Id.* at § 174.7(f).

³² *Id.* at § 174.7(g).

³³ *Id.* at § 174.7(i).

³⁴ 32 C.F.R. § 174.7(j).

If, after consideration of the applications, a determination is made that a federal-to-federal transfer is appropriate, the transfer may occur with or without compensation.³⁵ However, DOD regulations require that if the property is being transferred out of DOD, “fair market value reimbursement to the Military Department” be made unless the obligation is “waived by the Office of Management and Budget and the Secretary concerned, or a public law specifically provides for a non-reimbursable transfer.”³⁶ If the federal agency receiving the property fails to provide fair market value reimbursement, the property is to be declared “surplus”³⁷ and disposed of in accordance with applicable laws.³⁸ If no DOD components or other federal agencies pursue acquisition, or if DOD denies an application for transfer, the property is determined to be surplus and the disposal process begins.

Public Domain Lands³⁹

Simultaneous to the DOD component or other agency review process, and prior to a final determination that the BRAC property is surplus, DOD must determine whether the installation includes “public domain lands.”⁴⁰ If the lands comprising the closed or realigned installation were originally withdrawn from the public domain for use as a military facility, then, in accordance with FPASA, the Department of the Interior (DOI), acting through the Bureau of Land Management (BLM), may review the property and decide whether the land is suitable for return to the public domain.⁴¹ If DOD decides it will not retain the property for one of its components, it issues a Notice of Intent to Relinquish.⁴² It is then the responsibility of the BLM to determine if the land is suitable to be returned to the DOI or if it should be disposed of under the Base Closure Act.⁴³ Because BRAC property withdrawn from the public domain would not be listed in the notice of availability sent to DOD components and other federal agencies, is not clear whether a period for federal-to-federal transfers, as described above, would be available if BLM rejects the property.

Transfers for Non-Federal Utilization

Homeless Assistance

The Stewart B. McKinney Homeless Assistance Act⁴⁴ which allows “excess,” “surplus,” “unutilized,” and “underutilized” federal property to be used as homeless shelters, previously applied to BRAC closures.⁴⁵ However, the Base Closure Community Development and Homeless

³⁵ Base Closure Act; § 2905(b)(2)(C).

³⁶ 32 C.F.R. § 174.7(h)(8).

³⁷ “Surplus” property is defined as “excess property that the Administrator determines is not required to meet the needs or responsibilities of all federal agencies.” 40 U.S.C. § 102(10); 32 C.F.R. § 174.3(l).

³⁸ 32 C.F.R. § 174.7(k).

³⁹ Public domain lands are lands owned by the United States for the benefit of the citizens of the United States.

⁴⁰ 32 C.F.R. § 174.7(l).

⁴¹ *Id.*

⁴² 32 C.F.R. § 174.7(l)(4).

⁴³ 32 C.F.R. § 174.7(l)(5), (6).

⁴⁴ 42 U.S.C. § 11411.

⁴⁵ *Id.* at § 11411(a).

Assistance Act of 1994 changed the process for BRAC properties closed after October 25, 1994.⁴⁶ The Secretary of Defense is required to publish notice of available property and to submit information on the property to the U.S. Department of Housing and Urban Development (HUD), as well as to the LRA for that particular installation.⁴⁷ All interested parties, including representatives of the homeless, are then to submit to the LRA a notice of interest in the property.⁴⁸ The LRA is to consider “the interests in the use to assist the homeless of the buildings and property at the installation that are expressed in the notices submitted to the redevelopment authority ...” in preparing its redevelopment plan.⁴⁹ Upon completion of its plan, the LRA submits it to the Secretary of HUD and the Secretary of Defense for review.

The Secretary of HUD is authorized to review the plan, negotiate with the LRA for changes, and based on statutorily prescribed factors determine whether the plan is acceptable.⁵⁰ Upon HUD approval, the base redevelopment plan, including any homeless assistance component and agreement to implement no cost homeless assistance property conveyances, is submitted to DOD. DOD is required to give the redevelopment plan’s homeless assistance recommendations “substantial deference.”⁵¹ The Base Closure Community Development and Homeless Assistance Act of 1994, as originally enacted, required the Secretary of Defense to dispose of the property according to the LRA plan, including any homeless assistance designations.⁵² The substantial deference requirement, added by the Base Closure Act, appears to clarify DOD’s authority to dispose of property in a manner inconsistent with the LRA redevelopment plan, as long as the required level of deference was afforded.⁵³

Public Benefit Transfers

Public benefit transfers are authorized under FPASA and allow for conveyance of property at a discount or for no cost for specified public purposes.⁵⁴ Only certain entities may acquire property through a public benefit transfer, and the categories of acceptable recipients vary according to the type of public benefit use contemplated. For instance, transfers for use in the protection of public health may be to a state, a public subdivision or instrumentality of a state, a tax-supported medical institution, or a 501(c)(3) nonprofit hospital or similar institution.⁵⁵

DOD is required to inform the various agencies exercising authority over public benefit transfer programs of potentially available property and to inform the relevant LRA of any interest

⁴⁶ P.L. 103-421, 108 Stat. 4346 (1994).

⁴⁷ Base Closure Act, § 2905(b)(7); 32 C.F.R. § 176.20.

⁴⁸ 32 C.F.R. § 176.20(c).

⁴⁹ Base Closure Act, § 2905(b)(7)(F)(i).

⁵⁰ Base Closure Act, § 2905(b)(7)(H).

⁵¹ Base Closure Act, § 2905(b)(7)(K)(iii) (while the term “substantial deference” is not further defined by the Base Closure Act or DOD regulations, judicial application of the term may be instructive. *See, e.g., Chevron v. NRDC*, 467 U.S. 837 (1984); *Auer v. Robbins*, 519 U.S. 452 (1997)).

⁵² P.L. 103-421, 108 Stat. 4346 (1994).

⁵³ Base Closure Act, § 2905(b)(7)(K)(iii).

⁵⁴ *See* 40 U.S.C. §§ 541 *et seq.*, 49 U.S.C. §§ 47151-47153 (authorized transfers include uses for airports, historic monuments, education, national service activities, public parks and recreation, low income assistance housing, and public health purposes).

⁵⁵ *Id.* at § 550(d).

expressed by agencies.⁵⁶ The LRAs are encouraged to coordinate with interested parties and make a reasonable effort to incorporate their interests within the redevelopment plan.⁵⁷ However, there is no requirement that their interests be included in the redevelopment plan, they must only be considered by the LRA.⁵⁸ DOD is also required, through the military departments, to conduct an official public benefit transfer screening in accordance with the Federal Property Management Regulations based on potential uses identified in the redevelopment plan. If a public transfer is made, the transferring instrument will generally contain various binding “terms, conditions, reservations, and restrictions” to ensure the use of the property for the purposes for which it was transferred.⁵⁹ The LRA is responsible for the implementation of and compliance with the legally binding terms.⁶⁰ In the event the agreement is violated and the property reverts to the LRA, the LRA is responsible for ensuring the future utilization of the property.⁶¹

Conservation Conveyances

If BRAC property remains available after it has been considered for both a federal-to-federal transfer and a public benefit conveyance, DOD is authorized to transfer BRAC property via a conservation conveyance.⁶² To be eligible for a conservation conveyance the property must be suitable and desirable for conservation purposes, must have been made available for a public benefit transfer “for a sufficient period of time,” and must not be subject to a pending request for a public benefit transfer or for transfer to another federal agency.⁶³ In general, a conservation conveyance is to be for reduced cost.⁶⁴ The conveyance may be made to a state or qualified nonprofit entity for conservation purposes and must be subject to a reversionary clause authorizing the United States to reclaim the property should the use for conservation purposes cease.⁶⁵ With the concurrence of the Secretary of the Interior, DOD may grant the release from a covenant restricting future conveyances, but only if fair market value for the property is paid.⁶⁶

Public Auction and Negotiated Sale

In accordance with FPASA, DOD may dispose of BRAC property via public auction or through a negotiated sale with a single purchaser.⁶⁷ The public auction process requires public advertising for bids under terms and conditions that permit “full and free competition consistent with the value and nature of the property involved.”⁶⁸ If adequate bids are received and disposal is in the

⁵⁶ 32 C.F.R. § 176.45.

⁵⁷ 32 C.F.R. § 176.20.

⁵⁸ *Id.*

⁵⁹ 40 U.S.C. § 550(b).

⁶⁰ 32 C.F.R. § 176.45(d).

⁶¹ 32 C.F.R. § 176.45(e) (a preference exists for the LRA to utilize the property to assist the homeless, but it is not a requirement).

⁶² 10 U.S.C. § 2694a.

⁶³ *Id.* at § 2694a(a).

⁶⁴ *Id.* at § 2694a(g).

⁶⁵ *Id.* at § 2694a(b), (c).

⁶⁶ *Id.* at § 2694a(d) (under certain circumstances the Secretary may accept less than fair market value for the property).

⁶⁷ 40 U.S.C. § 545.

⁶⁸ *Id.* at § 545(a)(2).

public interest, the bid most advantageous to the federal government is to be accepted.⁶⁹ A negotiated sale is permissible when: (1) it is necessary in the public interest; (2) the public health, safety, or national security will be promoted by particular disposal of personal property; (3) a public exigency makes an auction unacceptable; (4) a public auction would adversely impact the national economy; (5) fair market value does not exceed \$15,000; (6) a public auction has failed to produce acceptable bids; (7) the character of the property makes public auction impractical; (8) disposal is to a state, territory, or U.S. possession; or (9) negotiated sale is authorized by other law.⁷⁰

Economic Development Conveyances (EDCs)

In addition to FPASA authorities, the Base Closure Act has since its enactment provided for EDCs in one form or another. Under its EDC authority, DOD may convey BRAC property to a LRA for less than fair market value. From 1994 until the 1999 and 2001 amendments to the Base Closure Act, the Secretary of Defense was authorized to “transfer real property and personal property located at a military installation to be closed ... to the redevelopment authority ... for consideration at or below the fair market value of the property transferred or without consideration.”⁷¹ The reduced or no cost conveyance was authorized when it was determined to be necessary to support economic development and when DOD could show that other transfer authorities were insufficient.⁷²

Amendments to the Base Closure Act in 1999 and 2001 significantly altered the requirements applicable to the use of an EDC.⁷³ Under section 2905(b), the broad discretion of the Secretary of Defense to authorize reduced or no consideration economic development conveyances was replaced by arguably a more restrictive scheme. Among the changes, for installations closed after January 1, 2005, the Secretary was required to “seek to obtain consideration in connection with any transfer ... in an amount equal to the fair market value of the property, as determined by the Secretary.”⁷⁴ However, transfers of property without consideration, in limited circumstances, were authorized. The law provided that: “the transfer of property of a military installation ... may be without consideration” only when the transferee agrees to specified terms.⁷⁵ These terms include a requirement that the recipient LRA use the proceeds from certain future sales or leases of the acquired property to support economic redevelopment at the former installation and accept control of the property “within a reasonable time after the date of the property disposal record of decision.”⁷⁶

⁶⁹ *Id.* at § 545(a)(4).

⁷⁰ *Id.* at § 545(b).

⁷¹ P.L. 103-160, § 2903 (1994).

⁷² *Id.* (Additionally, a no consideration transfer was formerly required when a closure was to take place in a rural area and would cause “a substantial adverse impact (as determined by the Secretary) on the economy of the communities in the vicinity of the installation and on the prospect for economic recovery....” P.L. 103-160, § 2903, *amended by* P.L. 106-65) For a discussion of the policy behind EDC, see Randall S. Beach, *Swords to Plowshares: Recycling Cold War Installations*, 15 *PROB. & PROP.* (2001).

⁷³ Act of October 5, 1999, P.L. 106-65, 113 Stat. 512; P.L. 107-107, § 3006. Bases closed under previous BRAC law but still owned by the Department of Defense may be included under the new statutory framework, and certain existing contracts may be modified to comply with the updated law.

⁷⁴ Base Closure Act, § 2905(b)(4)(B); see also 32 C.F.R. § 174.9(b).

⁷⁵ P.L. 106-65, *amended by* P.L. 107-107.

⁷⁶ Base Closure Act, § 2905(b)(4)(B)(ii).

However, in 2009, noting that many “negotiations between the Department of Defense and local redevelopment authorities ... over the value of property to be disposed under an economic development conveyance (EDC) have stalled over the past 2 years due to difficulties in the nation’s financial markets, the deterioration of local economic conditions, and the potential of legislative changes,”⁷⁷ Congress further amended the Base Closure Act with respect to utilization of a no cost EDC. The requirement that the Secretary seek consideration in an amount equal to the fair market value of the property has been removed. The law now allows that the transfer of property “may be for consideration at or below the estimated fair market value or without consideration.”⁷⁸ The determination of what consideration is to be received, if any, “may account for the economic conditions of the affected community and the estimated costs to redevelop the property.”⁷⁹ The Secretary is authorized to accept as consideration: a share of the revenues the LRA receives from the property; goods and services; real property and improvements; or other consideration the Secretary considers appropriate.⁸⁰ The amendment does not change the requirement that the LRA use proceeds from the acquired property to support economic redevelopment.⁸¹

The LRA may apply for an EDC after completion of its redevelopment plan. An application must be submitted consistent with a schedule devised by the Secretary of the transferring DOD component.⁸² The Secretary concerned, when practicable, provides a preliminary determination within 30 days of receipt as to whether the Military Department can accept the application for negotiation of terms and conditions.⁸³ The LRA application shall include a “description of how the EDC will contribute to short- and long-term job generation on the installation” and provide a “description of the economic impact of closure or realignment on the local community.”⁸⁴ Further, the application shall contain a statement “describing why an EDC will more effectively enable achievement of the job generation objectives of the redevelopment plan regarding the parcel requested for conveyance than other federal real property disposal authorities.”⁸⁵ The transferring Secretary is required to evaluate the application and its proposed terms and conditions in accordance with a series of prescribed factors, including the economic effects on the community of the proposed EDC, the interests and concerns of other federal agencies, and the economic benefit to the United States.⁸⁶ The regulations addressing an EDC without consideration if the LRA agrees that “proceeds from any sale or lease of the property ... during at least the first seven years ... [following transfer] shall be used to support economic redevelopment....” do not appear

⁷⁷ U.S. Congress, *National Defense Authorization Act for Fiscal Year 2010*, Conference Report to accompany H.R. 2647, 111th Cong., 1st sess., October 7, 2009, H.Rept. 111-288 (Washington: GPO, 2009), p. 883.

⁷⁸ P.L. 111-84, § 2715 (2009).

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² 32 C.F.R. § 174.9(c).

⁸³ *Id.* at § 174.9(e).

⁸⁴ *Id.* at § 174.9(d).

⁸⁵ *Id.* at § 174.9(d)(5) (All elements to be addressed by the LRA in its application for an EDC are contained in 32 C.F.R. § 174.9(d)(1) – (9)).

⁸⁶ *Id.* at § 174.9(e). (Prior to 2009, the Secretary was required to appraise the property, utilizing the most recent edition of the *Uniform Appraisal Standards for Federal Land Acquisitions*, and determine its fair market value prior to accepting an application. Additionally, prior regulations, since reversed, required the Secretary to seek to obtain consideration at least equal to the fair market value as part of an EDC.).

to be in conflict with the amended law.⁸⁷ The authorized uses to support economic redevelopment, unchanged by the 2009 amendment, are:

- road construction;
- transportation management facilities;
- storm and sanitary sewer construction;
- police and fire protection facilities and other public facilities;
- utility construction;
- building rehabilitation;
- historic property preservation;
- pollution prevention equipment or facilities;
- demolition;
- disposal of hazardous materials generated by demolition;
- landscaping, grading, and other site or public improvements; and
- planning for or the marketing of the development and reuse of the installation.⁸⁸

If the LRA does not utilize the funds in support of economic redevelopment, DOD is authorized under the Base Closure Act to recoup the portion of the proceeds received by the LRA in an amount it deems appropriate.⁸⁹

Leases

In addition to the final conveyance of property contemplated by the Base Closure Act, federal law authorizes the leasing of BRAC property to both federal and non-federal lessees.

Leaseback

The law and regulations authorize what has been referred to as a “leaseback,” an arrangement wherein the transferring Secretary conveys property to a LRA and the LRA agrees to lease the property to a federal agency.⁹⁰ Under the regulations, this arrangement will only be used if the agency that would lease the property agrees to the arrangement, the LRA and the agency can agree to lease terms, and the transferring Secretary determines the arrangement is in the interest of the DOD component or agency.⁹¹ The leases are to be for terms of no more than fifty years, subject to renewal, and cannot require rental payments.⁹²

⁸⁷ Base Closure Act, § 2905(b)(4)(i); 32 C.F.R. § 174.9(d)(8).

⁸⁸ Base Closure Act, § 2905(b)(4)(C); 32 C.F.R. § 174.9(d)(8)(i)-(xii).

⁸⁹ Base Closure Act, § 2905(b)(4)(D); 32 C.F.R. § 174.9(j).

⁹⁰ Base Closure Act, § 2905(b)(4)(E); 32 C.F.R. § 174.12.

⁹¹ 32 C.F.R. § 174.12(f).

⁹² *Id.* at §174.12(h).

Non-Federal Lessee

While the Base Closure Act does not specifically provide for the authority to lease property to non-federal lessees, it does indicate that proceeds from leases are to be deposited into a BRAC-specific account.⁹³ The authority for non-federal leases is contained in 10 U.S.C. § 2667, the same statute governing the leasing of non-BRAC military property.⁹⁴ DOD's regulations identify that the leasing of BRAC properties prior to final disposition "may facilitate state and local economic adjustment efforts and encourage economic development, but the Secretary concerned will always concentrate on the final disposition of real and personal property."⁹⁵ Lessees must generally pay fair market value; however, less than fair market value consideration is authorized if the Secretary finds that:

- a public interest will be served as a result of the lease; and
- the fair market value of the lease is unobtainable or not compatible with such public benefit.⁹⁶

Prior to a BRAC property being leased, the law requires DOD to consult with the Administrator of the Environmental Protection Agency (EPA) to determine whether the property is in suitable condition for leasing.⁹⁷ In general, NEPA requires federal agencies to analyze the environmental impacts of a proposed federal action and alternatives to that action.⁹⁸ The statute governing BRAC property leases indicates that the scope of environmental analysis required is "limited to the environmental consequences of activities authorized under the proposed lease and the cumulative impacts of other past, present, and reasonably foreseeable future actions during the period of the proposed lease."⁹⁹ However, this relief from full application of NEPA does not apply if activities authorized under the lease would:

- significantly affect the quality of the human environment; or
- irreversibly alter the environment in a way that would preclude any reasonable disposal alternative of the property concerned.¹⁰⁰

Additional regulatory and statutory provisions indicate that leases of BRAC property are intended to be short-term, interim measures to spur economic development pending final disposition, and therefore these leases "make no commitment for future use of ultimate disposal."¹⁰¹ More specifically, the regulations indicate that lease terms may extend up to five years, including renewal options, if the lease is entered into prior to completion of the final disposal decision.¹⁰² After completion of the final disposal decisions, the lease term may be longer than five years.¹⁰³

⁹³ Base Closure Act, §§ 2906, 2906A; *see also* 10 U.S.C. § 2667(e)(5).

⁹⁴ 10 U.S.C. § 2667(g).

⁹⁵ 32 C.F.R. § 174.11(a).

⁹⁶ *Id.* at § 174.11(b).

⁹⁷ 10 U.S.C. § 2667(g)(3).

⁹⁸ 42 U.S.C. §§ 4321 *et seq.*

⁹⁹ 10 U.S.C. § 2667(g)(4)(A).

¹⁰⁰ *Id.* at § 2667(g)(4)(C).

¹⁰¹ 32 C.F.R. § 174.11(c); *see also* 10 U.S.C. § 2667(g)(4)(B).

¹⁰² 32 C.F.R. § 174.11(c).

¹⁰³ *Id.*

When a lease is to a LRA and is provided at below fair market value and the property is later subleased, the LRA is required to apply the proceeds to the “protection, maintenance, repair, improvement, and costs related to the [leased] property...”¹⁰⁴

Conclusion

The Base Closure Act and the FPASA primarily governed the transfer and disposal process for 2005 round BRAC properties. The process first requires screening to determine if other DOD components or federal agencies have a need for the property. In the event that property is not transferred in this manner, it is deemed surplus and may be disposed of pursuant to BRAC and FPASA authorities. Compliance with these authorities generally requires an analysis of suitability for homeless assistance or a public benefit transfer. DOD is directed to take into consideration multiple factors in determining which authority to use, including consultation with LRAs and their redevelopment plans, but DOD appears to be ultimately responsible for making final determinations. Public auctions and negotiated sales are generally available, although it would appear that fair market value must generally be obtained under these authorities. EDCs are authorized as well, which may be made for no consideration, contingent upon certain conditions of transfer.

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¹⁰⁴ *Id.* at § 174.11(d).

***Camp
Bonneville
Reuse
Plan***

Prepared for:

***The Camp Bonneville
Local Redevelopment Authority
(LRA)***

Prepared with the assistance of:
Otak, Inc.

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List of Acronyms

ADA	Americans with Disabilities Act
BOCC	Board of County Commissioners, Clark County
BRAC	Base Realignment and Closure Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
DNR	Department of Natural Resources, State of Washington
DOD	Department of Defense
DOE	Department of Ecology, State of Washington
EA	Environmental Assessment
EE/CA	Engineering Evaluation/Cost Analysis
EOD	Explosive Ordnance Demolition
FBI	Federal Bureau of Investigation
HUD	Department of Housing and Urban Development
LETC	Law Enforcement Training Center
LRA	Local Redevelopment Authority
NPS	National Parks Service
OEA	Office of Economic Adjustment, Department of Defense
RPC	Reuse Planning Committee
USFWS	U.S. Fish & Wildlife Service
UXO	Unexploded Ordnance

PROJECT PARTICIPANTS

Camp Bonneville Local Redevelopment Authority

Board

- Commissioner Betty Sue Morris, Chair
- Commissioner Mel Gordon
- Commissioner Judie Stanton

Reuse Planning Committee

- Commissioner Judie Stanton, Chair
- Darrell Badertscher, Parks Commission Chair
- Vaughn Lein, Planning Commission Chair
- Kim Peery, Appointed by Governor
- Pete Butkus, Department of Community, Trade, and Economic Development; Appointed by Governor

Steering Committee

- Bob Torrens, Chair (Environmental Subcommittee)
- Robert Frohs (Neighbors Subcommittee)
- Lores Barnes (Finance Subcommittee)
- Fred Elliott (Parks Subcommittee)
- Judy Noall (Education/Cultural/Facilities Subcommittee)
- Tim McVicker (Firing Range Subcommittee)

Subcommittees:

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- Fred Elliott (Model Airplanes)
- Terradan Landchild (Orienteering)
- Frank Funk (Equestrians)
- Bob Scullen (Chinook Trail Association)
- Doug Hagedorn (Vancouver/Clark Parks & Recreation)
- Roger Peterson (Fishing & Hunting)
- Pat Erwin (Paragliding)
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Camp Bonneville Reuse Plan

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- Peggy McCarthy (Medical Retreat Center)
- Susan Gilson (ESD 112)
- Gary Wallace (County School Districts)
- Dave Halme (Clark College)
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- Steve Manlow (Washington State Fish & Wildlife)
- Travis Coley (US Fish & Wildlife Service)
- Rose Andrzejczak (SW Washington Health District)
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Camp Bonneville Reuse Plan

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NOVEMBER 2005 UPDATE Summary

Since the time of the February 2003 update to this plan, Congressional legislation (10 U.S.C 2694a) has been approved, this is more closely related to the reuse plan. That legislation now permits Conveyance of BRAC properties for Conservation of Natural Resources. As this reuse plan is predominately open space and wildlife preservation (2/3 of the site), it ideally meets the intent of that legislation. The remaining 1/3, the Regional Park area, is recreational and will also serve to preserve the natural resources of the area.

Note: The re-use plan has not been altered. The original plan (1998) and the defined uses remain intact. The 2003 update provided better delineation of the reuse areas. That 2003 plan discussed the desire for an Economic Development Conveyance. This 2005 update has replaced the desire of an EDC with a desire for a Conservation Conveyance.

FEBRUARY 2003 UPDATE SUMMARY

This reuse plan has been updated to reflect adjustments to cost estimates due to inflation, to a minor extent to reflect a change in the desired conveyance vehicle (Economic Development Conveyance vs. Public Benefit Conveyance), and because more detail has been added to the reuse activities. It should be noted that No Change to the reuse activities has occurred, only more definition.

It has been at least five years since the estimates of costs were prepared. To more fully understand the cost involved with the reuse activities in present time and with the higher level of specificity, revised cost estimates were prepared for some of the development costs. These costs are reflected in Appendix F.

Due to the limited extent of this update, the majority of the text, facts and figures appear unaltered from the 1998 Draft Re-use plan. Accordingly, some references to actions and dates will be past tense. It was not the intent of this update to rewrite the document with respect to time.

Section 1.0

INTRODUCTION

1.1 Purpose

The purpose of this report is to present the Reuse Plan for Camp Bonneville, as well as document the public process, data, analysis, and alternatives that were generated during this reuse planning effort. The Local Redevelopment Authority (LRA) initially anticipated completion of the reuse plan by July 1997, which was modified to March 1998 due to a delay in approval of the Office of Economic Adjustment (OEA) reuse planning grant. This deadline was further extended primarily due to the unanticipated schedule delays in evaluating the site for unexploded ordnance (UXO). For a variety of reasons, a number of reports important to the LRA's planning process were also delayed. Some of these reports, such as the Historical Evaluation of the barracks, the draft Sewage Treatment Manual, and a preliminary report identifying some of the areas where UXO were found on the site, have become available in August 1998. Other reports, such as the Archive Search Report Addendum, and evaluations of lead in ground and surface water, have not been completed by the Army or are not yet available for LRA review.

At this writing, the final UXO report findings have not been completed. The LRA has been consistently in support of the Department of Defense (DOD) policy that recommends "that the LRA take the environmental condition of property into account in development of its reuse plan" ("A Guide to Establishing Institutional Controls at Closing Military Installations," February 1998). The revised Base Reuse Implementation Manual (BRIM), p. 2.9, also says, "It is important for the Military Department to communicate environmental issues to the LRA early in the process, to ensure reuse planning is compatible with the more significant environmental conditions that may limit certain types of land use. This way, environmental priorities can be reconciled with community reuse priorities, and appropriate cleanup levels can be established to reflect anticipated future land use." Because most of the property was identified in the Archive Search Report to have potential for UXO, information such as the UXO sampling report and subsequent Engineering Evaluation/Cost Analysis EE/CA will be critical reuse planning elements. Using information from sampling 1.1% of the property, the EE/CA will estimate the costs to "clean" the property, will identify technology available to clean the site, and will be used to prepare a timeline for cleanup and transfer. Before accepting any property transfer, the LRA will review the timeline for parcel transfer, cleanup levels proposed, and safety measures in place until all property is transferred.

Due to necessary safety precautions, evaluations have not yet been conducted to determine the presence of endangered/threatened species, or wetland and riparian areas. Nor have the areas of archaeological and cultural significance been delineated. A more detailed timber analysis also requires more extensive site access. Since the LRA has been unable to see all areas of the site (due to safety precautions), participation in Army helicopter flyovers of the site to be arranged by Fort Lewis, will be extremely valuable for the planning process.

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It is expected that this Reuse Plan will need to be modified to reflect such new information in the near future. The LRA is submitting a plan at this time to facilitate the Army's timeline for preparation of the EE/CA and the Environmental Assessment (EA). Throughout the property transfer process, as new environmental and other relevant information become available, the LRA is committed to work with the Army to modify reuse locations to better ensure public safety and minimize cleanup costs.

1.2 Scope of Study

In July 1995, Camp Bonneville was included on the list of military bases proposed for closure by the Base Closure and Realignment Commission and was approved for closure by Congress in September 1995. The closure of Camp Bonneville presents a unique opportunity to transform surplus military property and facilities for public uses which will provide significant benefits to the Clark County community.

The Camp Bonneville Reuse Plan is the result of nearly three years of coordinated effort involving the community, the Board of County Commissioners, consultants, and County staff. This Plan reflects the recognition of the importance of this opportunity to meet a variety of needs: open space preservation, natural resource management, public recreation opportunities, law enforcement training, environmental education, and community cultural activities.

Because Camp Bonneville is located entirely within Clark County and is neither part of, nor immediately bordering, any other political jurisdiction, the Clark County Board of Commissioners (BOCC) established the Camp Bonneville Local Redevelopment Authority (LRA) in August, 1995, to prepare a reuse plan for Camp Bonneville. The LRA was recognized by the Department of Defense in February 1996.

1.3 Committee Structures and Participation

To assist in the community-based reuse planning effort, the Board of County Commissioners (BOCC), as the Board for the LRA, appointed a five-member Reuse Planning Committee (RPC) to oversee the reuse planning process. The RPC included: the chairman of the Clark County Planning Commission, the chairman of the County Parks Commission, the Clark County Commissioner from the Camp Bonneville area, and two appointees by the Governor of Washington. The Governor appointed a representative from Washington State's Department of Community, Trade & Economic Development, and a former state legislator from the Camp Bonneville area.

Public hearings were held in 1995 to gather ideas from the community on reuses for Camp Bonneville. Based on these hearings, the RPC established six LRA subcommittees made up of approximately fifty community representatives to be assisted by county staff and consultants in preparing plan options. All uses proposed were objectively considered, with representatives appointed to participate in one of three "operational" subcommittees (Parks, Firing Ranges, and Educational/Cultural/Facilities). Individuals and groups expressing concerns about reuse plans

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were appointed to one of three “advisory” subcommittees (Neighbors, Finance, and Environmental). Subcommittee members proposed, researched and critiqued the range of potential reuses and evaluated reuse plan alternatives for the Community Preferred Reuse Plan. Representatives from each of the subcommittees were selected by their subcommittees to participate on the Steering Committee whose job was to balance interests and findings of the six subcommittees and make recommendations to the Reuse Planning Committee.

Representatives from the neighborhoods surrounding Camp Bonneville participated on the Neighbors Subcommittee. The Finance Subcommittee included representatives from the banking community, the County Public Works Department, Vancouver/Clark Parks and Recreation Department, and Education Service District 112. The Environmental Subcommittee included representatives from the Audubon Society, the Sierra Club, Fire District, State Fish & Wildlife Service, U.S. Fish & Wildlife Service, Southwest Washington Health Department, Clark Public Utilities, and County Environmental Services.

The Parks Subcommittee included representatives advocating equestrian and hiking trails, search & rescue dog training, orienteering, paragliding, model airplanes, paintball, fishing and hunting, four wheel drive, motor bikes, and parks. The Education/Cultural/Facilities Subcommittee participants included representatives from the county school districts, Clark College, Native Americans, camping, arts community, medical retreat center, and the Educational Service District. The Firing Range Subcommittee included representatives from the County Sheriff’s Office, the National Guard, public firing range interests, and the FBI.

LRA committees met regularly from February - June 1996 until their efforts required more technical study. The LRA received approval for a reuse planning grant from the Office of Economic Adjustment in April 1997 at which time Otak, Inc., was selected to conduct studies necessary to move forward with the reuse plan. LRA committee meetings were regularly held from April 1997 through January 1998, at which time the Steering Committee presented its preferred reuse scenario and recommendations to the RPC. Public hearings were held by the RPC in February and March 1998. Some revisions were made in the reuse scenario, which was then presented to the BOCC which held public hearings in May 1998. After additional modifications, a draft reuse plan was prepared. Approximately 80 LRA committee meetings were held from 1995-1998.

1.4 Homeless Outreach and Notices of Interest

Camp Bonneville was listed in July, 1995, for closure by the Base Realignment and Closure Commission. Federal agencies were notified of the availability of property due to pending closure on September 26, 1995, and were given a deadline of November 28, 1995, to submit applications for all or portions of the property. Applications were received by the Army Corps of Engineers on November 28, 1996, from the Bureau of Prisons and on November 17, 1995, by the US Fish & Wildlife Service (USFWS). An application from the FBI was received by the Corps on December 4, 1995.

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The application from the Bureau of Prisons to construct a prison at the site was withdrawn on March 26, 1996, after the LRA notified the agency of the local community's strong opposition to the proposal due to the proximity of a state correctional facility in the area.

The USFWS requested the entire site (with the exception of the FBI firing range) for developing a wildlife refuge. Due to concerns about reliability of funding for the new program and a desire for local management of the site, the BOCC requested that the USFWS withdraw its application to allow the local community to evaluate the site to determine the reuses that would be most beneficial for the County (with the possibility that the local recommendation would be a wildlife refuge operated by the USFWS). The USFWS withdrew its application on February 2, 1996. USFWS representatives were invited to participate on the Environmental Subcommittee and have provided valuable advice to the County throughout the planning process.

The FBI received a five-year renewable permit from the Army in 1991 (renewed in 1998) to construct a 20-25 firing point handgun and shotgun firing range on a 450' by 600' area at Camp Bonneville. Since the FBI's application for this firing range was submitted after the deadline, the LRA was initially told by the Army Corps of Engineers headquarters officials that the FBI's application would not be considered unless approved by the LRA. While supportive of the FBI's request for a firing range at the site, the LRA has expressed major concerns about safety and compatibility of continuing to locate the FBI firing range at its present site, which is less than 1/10th mile from the meadow/primary park usage area. The Secretary of the Army surplused all of Camp Bonneville with a directive to the FBI and LRA to work together to ensure that an FBI firing range will be located at the site if it is compatible with the community's reuses. In the reuse plan, an area approximately one-half mile further down range road has been identified for the FBI range, with the requirement that the range be baffled for safety and that noise buffering be added as well (conditions the FBI is in agreement with). The FBI has also been requested to use the site to meet the needs of the FBI (and not that of all regional law enforcement agencies), limiting firing range usage to its historic usage of approximately 60-80 days per year and to concentrate this usage, when possible, to the six months of non-peak park usage (October through March), with prior notification of scheduling to the County. The County recognizes that, due to emergency situations that require unplanned firing range usage, the FBI may not always be able to provide as much advanced notice for all range usage.

The March 28th deadline for declaring property surplus was extended to June 5, 1996. The notice of surplus property at Camp Bonneville was then published in the Federal Register on June 26, 1996. As required by statute, the LRA must, within 30 days of publication of the surplus notice in the Federal Register, advertise in a newspaper of general circulation in the communities in the vicinity of the property, information on the reuse process and the time periods for submitting notices of interest in the site. Ads were placed by the LRA in four local newspapers, with a deadline for notices of interest of October 21, 1996. Two workshops were scheduled at Camp Bonneville within that 90 day period (July 30, 1996 and September 5, 1996) to provide tours and additional information on the reuse process.

Federal excess application deadline	November 23, 1995
Surplus declaration by the Army	June 5, 1996

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Federal Register notice of Surplus	June 26, 1996
LRA Advertising for Notices of Interest	July 24, 1996
Deadline for Notices of Interest	October 21, 1996
On-site workshops for interested agencies	July 30, 1996 & September 5, 1996

The LRA also requested from the Department of Housing and Urban Development (HUD) a mailing list of all agencies serving the homeless of Clark County, and mailed two notifications to each of these agencies. Native American tribes in Southwest Washington and Northwestern Oregon were also sent notifications.

When the initial workshop attracted only three agencies - Clark County Community Services, Father's House, and Open House Ministries, the LRA scheduled and advertised a second workshop which was attended only by Cowlitz and Grand Ronde representatives. The LRA, in its outreach to agencies serving the homeless in Clark County contacted various agencies by phone to ensure that notice was received and to determine interest in the site. Open House Ministries was initially interested in proposing a camping area to provide interim shelter for the homeless, but determined the idea to be impractical due to the remote location and lack of services in the area. Additional ideas suggested were construction of several houses at the site for transitional housing, but no agency expressed interest in Camp Bonneville for this type of investment.

The primary reasons given for the lack of interest in utilizing Camp Bonneville for homeless services were: its remote location, its lack of nearby services, the very poor quality of the barracks buildings and high remodeling costs, and the high costs to replace an ailing or non-existent infrastructure. There is no nearby bus service nor services such as grocery stores within many miles of the site. Transportation costs into downtown Vancouver, 15 miles from the site, where most of the homeless population and subsequent services are located would be too high.

Five notices of interest were received from Father's House, Clark College, Clark County, the Cowlitz Tribe, and the Confederated Tribes of the Grand Ronde. Presentations were scheduled for January 13, 1997 at a public meeting televised by a local cable station to provide an opportunity for each agency to present its reuse interests for the site. The only application received from an agency serving the homeless was from Father's House, whose application was withdrawn prior to this meeting after it was determined by HUD that the organization did not meet HUD's criteria to be classified as an agency serving the homeless.

The goal of Father's House, was to provide an alternative living situation for children. No children had yet been served by the newly-formed organization that planned to model its program on similar ranch programs in other areas of the country. Because it was anticipated that few, if any, of these children were "homeless", because of the religious education requirements for all children participating, and because of the organization's request to function independently from the community and other reuses at the site, HUD determined that Father's House did not qualify as an agency that serves the homeless.

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The goal of Clark College was to provide students with a 50-80 acre area in the southwestern corner of the property for environmental education. Clark College also proposed construction of a three to six classroom field station at the site.

The proposals from Clark County, the Cowlitz Tribe, and the Confederated Tribes of the Grand Ronde were very similar in their proposed reuses, with the exception that firing ranges were not proposed as a reuse by the Grand Ronde. The Native American tribe applications also proposed more aggressive timber programs than that proposed in the Clark County application.

When no interest was expressed in Camp Bonneville by agencies serving the homeless, LRA staff conferred with staff from the Portland HUD office, and later with Perry Vieta, Coordinator in 1995-96 of the HUD Base Redevelopment Team, who indicated that the LRA outreach had met the criteria, and that the remote location of the site did not make it a reasonable location for homeless services. All of Camp Bonneville will be transferred for natural resource conservation, recreation, education, law enforcement, parks, with important benefits to the County. Implementation of the reuse plan may be very prolonged due to unexploded ordnance cleanup and high costs for necessary infrastructure with minimal resources. Due to the lack of interest from agencies serving the homeless, and the non-profit public benefit uses planned for the site, no homeless services are proposed at the Camp Bonneville property.

Section 2.0

CAMP BONNEVILLE REGION

2.1 Location

Camp Bonneville is situated in the southeastern region of Clark County, Washington (Sections 34 & 35, Township 3 North, Range 3 East and Sections 1,2,3 & 10 Township 2 North, Range 3 East, W.M.). The camp is located along the western foothills of the Cascades Mountain Range between Camp Hill and Little Elkhorn Mountain to the northwest, Munsell Hill to the west, and Little Baldy Mountain to the south.

Vehicular access to the main (west) gate into Camp Bonneville is provided by Pluss Road and other two-lane paved County roads. These rural roads connect to State highway SR-500 which lies to the west and south of the camp.

2.2 Surrounding Jurisdictions and Land Uses

Camp Bonneville lies within rural and unincorporated Clark County, approximately twelve miles east of Vancouver. The smaller cities of Camas and Washougal are approximately 6 miles to the south of the camp. Clark County is the fastest growing county in Washington, with a 1998 estimated population of 328,000. The City of Vancouver has the largest population in the county with a 1998 population estimated at 132,000. The 1998 population estimate for Camas is 10,300 and 7,685 for Washougal. (Population statistics from the Washington State Office of Financial Management). The nearest town is the unincorporated community of Proebstel, about 2 miles west of the installation.

The land uses surrounding Camp Bonneville are predominantly agricultural farming, rural residential, and forestry. The existing zoning of neighboring properties are FR-40 (forest zoning with a 40-acre minimum lot size), RE-5 (rural estate zoning with a minimum 5-acre lot size), and RE-10 (rural estate zoning with a minimum 10 acre lots). As Clark County has grown, so has the expansion of residential development near Camp Bonneville. Although current zoning permits nothing smaller than a five-acre lot size, many residences on much smaller lots were approved prior to the adoption of the current standards. Clark County has committed to providing off-site roads necessary to support the development of Camp Bonneville.

The northeastern boundary of the camp borders with the Yacolt Burn State Forest, which is managed by the Washington State Department of Natural Resources. The Livingston Quarry is a gravel mining operation, which also exists as an adjacent land use activity along the south boundary. Livingston Cemetery (two acres) is just south of the camp's access road and outside of the main gate along the western property boundary.

Section 3.0

SITE DESCRIPTION & INVENTORY

3.1 Site History

Camp Bonneville was established in 1909 as a drill field and rifle range for Vancouver Barracks. In 1912, an appropriation was made to expand facilities at Camp Bonneville to include a target range and a road leading to the post. The 3,020 acres upon which Camp Bonneville was established were purchased by the federal government in 1919. In addition, the U.S. Army leased 840 acres of adjacent property, in two separate parcels, from the State of Washington in 1955. Of these 840 acres, 20 acres were returned to the State of Washington in 1957. The Bonneville and Killpack cantonments were established in the late 1920's and the early 1930's, respectively, a total of 54 buildings and 18 additional structures such as observation towers.

Historically, Camp Bonneville has been used as a training camp for active U.S. Army, U.S. Army Reserve, U.S. National Guard, U.S. Marine Corps Reserve, U.S. Navy Reserve, and U.S. Coast Guard Reserve units, as well as other Department of Defense (DOD) reserve personnel. In addition, the Federal Bureau of Investigation (FBI) has a five-year permit that will expire in October 14, 2001, for use of a handgun range the FBI constructed at the site. (This permit is subject to termination once final disposition of the site is determined).

Non-firing training at Camp Bonneville involved troop maneuvers, encampments, field tactical training, and vehicle support. Vehicles used at Camp Bonneville included light and heavy trucks, occasional construction equipment, and tactical vehicles, which were limited to existing roads. Helicopters occasionally used the emergency landing strip. United States Army Engineer units used the training areas for combat and construction training, including construction and removal of barriers and limited quarrying and roadwork. Smoke and riot control agents have been used in association with field training activities (McMaster 1983).

When not required for military training activities, Camp Bonneville was made available until the late 1980's to local equestrians and hunters, and overnight usage of the cantonment areas by 4H groups, and school districts for outdoor school activities.

3.2 Site Description

Most of Camp Bonneville is comprised of undeveloped forested hillsides and creek side drainages. Former military barracks and training facilities are concentrated at two locations, the Camp Killpack and Camp Bonneville cantonment areas, which cover approximately 30 acres. Other developed facilities include firing ranges, a paved two-lane road connecting the main gate with the two cantonment areas, and a network of unpaved roads.

3.2.1 Barracks Uses

Killpack and Bonneville cantonment areas cover a total of approximately 30 acres in area. The barracks buildings were constructed prior to 1935 as temporary structures. The majority of

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Camp Bonneville facilities are found at the Bonneville cantonment (30 facilities, of which two have been destroyed by fire) and the Killpack cantonment (26 facilities). A list of the facilities located at the Bonneville cantonment and Killpack cantonment are provided in **Table 1** and **Table 2**, respectively. Other structures include those associated with the firing ranges (e.g., lookout towers and shelters).

3.2.2 Firing Range Uses

The firing ranges at Camp Bonneville have been used for a variety of weapons training. At least 25 firing ranges have been identified from maps dating back to 1958, including firing ranges for small arms, large-caliber machine guns, rifles, grenades, light anti-tank weapon rockets, and subcaliber weapons. Artillery and mortar training was conducted at the installation until 1968. A summary of the range numbers, their uses and types of weapons used are provided in **Table 3**.

The firing points, firing ranges, and associated range fans and impact areas are shown on **Figure 1**. The range fans delineated on Figure 1 are believed to encompass all the components of the surface danger zone (AR 385-63), including line of fire, limit of fire, dispersion area, ricochet area, target area, impact area, and secondary danger areas. According to Army information, the area at each range in which the majority of rounds fall is generally very small compared to the full fan.

The Artillery Impact Area shown on **Figure 1**, extracted from the Archive study, is a combination (i.e., maximum area) of all artillery impact areas from maps reviewed. This area was the intended target area of artillery and mortar practice. An Archive addendum has not yet been completed or made available to the LRA.

3.3 Site Influences

3.3.1 Topography

The terrain of Camp Bonneville is generally rolling, typical of foothills of the Cascade Mountains, covered with undergrowth and large stands of coniferous timber. The west quarter of the installation consists generally of low hills and the low plain of the Lacamas Creek valley, while the remainder of the post comprises the well-dissected hills of the westernmost Cascade Mountain foothills. Elevations range from 289 feet above mean sea level (msl) at Lacamas Creek at the southwest corner of the installation to 1,000 feet above msl at the northwest, 1,350 feet above msl at the southeast, and 1,452 feet above msl at the south-central boundary of the installation. The topography is erosional except for shallow deposition in the Lacamas Creek valley (Dalan and Wilke 1981). Refer to **Figure 2**.

3.3.2 Geology and Soils

Camp Bonneville is situated on the margin of the western foothills of the southern Cascade Mountains in the transition zone between the Puget Trough and the Willamette Trough Provinces. The geology of this area generally consists of Eocene and Miocene volcanic and sedimentary rock types overlain by unconsolidated clays, silts, sands, and gravels of the Troutdale formation (U.S. Army 1995a).

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The geology at Camp Bonneville can be divided into three general areas that correspond approximately to topographic divisions. The area west of Lacamas Creek is composed of a series of predominantly gravel and semi-consolidated conglomerate with scattered lenses and stringers of sand (Upper Troutdale formation). Underlying the Troutdale formation, and comprising the area to the north and east of Lacamas Creek, are basalt flows and flow breccia, with some pyroclastic and andesitic rocks, which are folded and faulted. The bottom land along Lacamas Creek is comprised of unconsolidated silt, sand, and gravel valley fill, with some clay. Due to the thick soil and dense vegetation, no faults have been identified within Camp Bonneville (McMaster 1983).

Soils of Camp Bonneville are mainly clayey and nonporous, so there is considerable runoff after each storm and occasional flooding of Lacamas Creek. Upland soils have mainly developed from basalt and are generally gravelly or stony and fairly shallow. Bottom land soils along Lacamas Creek tend to be clayey (Dalan and Wilke 1981). Refer to **Figure 3**.

3.3.3 Water Resources and Hydrology

Camp Bonneville lies within the Lacamas Creek watershed and drainage basin. The principal surface water feature is Lacamas Creek, which follows from the coalescence of three branch streams in the north-central part of Camp Bonneville southward, exiting the installation at its southwest corner. Numerous minor tributaries draining adjacent uplands flow into Lacamas Creek. Buck Creek and David Creek, the largest of these streams, drain the highlands to the south and east. Two artificial impoundments of Lacamas Creek, with a total surface area of less than 4,600 square feet, have been created to support a trout sports fishery (U.S. Army 1995a). One additional artificial water impoundment, an excavation area created as a result of providing berms for the adjacent 300 m firing range, has been observed on site in the vicinity of the convergence of Lacamas Creek and David Creek. However, this impoundment is not documented on existing maps.

Little information is available regarding the condition of Camp Bonneville groundwater. The groundwater flow generally follows local topography toward the south and west. A rising water table occurs in the early fall through spring during the rainy season, and a lowering of the water table occurs throughout the summer months. Two drinking water wells are located at Camp Bonneville, a 385-foot deep well at the Bonneville cantonment and a 193-foot deep well at the Killpack cantonment (McMaster 1983). Several groundwater monitoring wells associated with the sewage lagoon are located east of the Bonneville cantonment. No groundwater samples were collected from these monitoring wells as part of this work.

The LRA and the community members of the Restoration Advisory Board have been expressing concern since 1996 that the Army test ground and surface water in locations where waterways enter and leave the property. Those tests are expected to be conducted in the fall of 1998. Results of those tests must be evaluated to determine any risk of continuing firing range usage at the site.

3.3.4 Vegetation

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The existing vegetation is primarily young conifer forest, although patches of mature conifer and a mix of conifer and deciduous forest is also found within the boundaries of the installation. The installation is located at the tip of a finger of prairie that reaches into the foothills of the south Cascade Mountains, although no undisturbed tracts of this habitat remain.

Coniferous forest is the predominant habitat type found over the majority of Camp Bonneville. Although most of the forests in this vicinity were once dominated by western hemlock, the regenerated stands currently consist almost exclusively of even-aged Douglas fir stands. Individual western red cedar and hemlock trees are found in scattered locations that are most often associated with drainages. Common under story species include vine maple, salmon berry, elderberry, hazelnut, salal, and sword fern. Most of the conifer stands appear to be less than 50 years old; however, patches of more mature trees are found in some areas (Pentec 1995).

Mixed coniferous and deciduous forest habitat communities are found mainly along Lacamas Creek and associated with other drainages and wetland depressions. In several areas, this habitat type is contiguous with remaining patches of Garry oak from the former woodland communities. Tree species found in this habitat type include red alder, Oregon ash, Douglas fir, big leaf maple, Garry oak, cottonwood, crabapple, and willow. Common under story species include vine maple, salmonberry, Indian plum, snowberry, and lady fern (Pentec 1995).

The U.S. Army has been managing forest land at Camp Bonneville since 1957. Forest management has consisted of scarification and replanting of lands burned during the fires of 1902, 1938, and 1951 and timber sales (Hunter 1991).

3.3.5 Rare and Endangered Flora and Fauna

In 1995, the Camp Bonneville Endangered Species Survey Final Report was completed under the direction of the U.S. Army Corps of Engineers, Seattle District. This survey was conducted by Pentec Environmental, Inc. to detect the presence of plant and animal species that are federally or State listed as endangered or threatened or are candidates for such listing and to estimate their relative abundance with the installation.

As part of this survey, information was requested from the Washington State Department of Fish and Wildlife concerning priority species. The results of the request indicate that listed resident fish are known to use Lacamas Creek in the reaches which fall within the installation boundaries, although no specific species information was provided. No other endangered, threatened or candidate species were reported to occur within or adjacent to Camp Bonneville. Information was also requested from the Washington Natural Heritage Program concerning rare plants in the vicinity of Camp Bonneville. No significant natural features or known rare plant populations were reported to occur within the installation, although two rare plants, hairy-stemmed checker-mallow (*Sidalcea hirtipes*) and small-flowered trillium (*Trillium parviflorum*), are reported to occur in the vicinity (Pentec 1995). Pentec qualifies in their report summary, however, that the survey does not verify the absences of endangered and threatened species, and “should not be viewed as a final determinant in management decisions.”

An on-site environmental study of the Camp Bonneville property was not a part of this reuse planning effort. Upon completion of the Army's UXO contamination clean-up program, an inventory and assessment of rare and endangered flora and fauna will need to be conducted of the Camp Bonneville site. The reuse plan may require modification in the future should endangered species be found in higher usage areas.

3.4 Infrastructure Systems

3.4.1 Roads

Approximately a mile and a half of road within Camp Bonneville, has an asphaltic concrete pavement wearing course over an unknown depth of crushed gravel. This paved road is approximately twenty feet in width, graded to surface drain, and has been maintained in generally good condition.

Roads surfaced with crushed gravel are approximately ten to twelve feet in width with six to twelve inches of gravel surfacing. The Army estimates a total of 14 miles of graveled roads at the site, with a total of 56 miles of road and cart tracks (dirt trails) at the site. While these graveled roads and cart tracks have been well maintained by the Army in the past, they are currently in need of vegetation control and repair of culverts and areas of washout due to heavy rains over the past two years and the Army's great reduction in maintenance levels. With proper vegetation control and localized erosion damage repairs, these roads and cart tracks can be reused for light wheeled vehicles and recreation trails after UXO cleanup procedures are completed. Refer to *Figure 4*. Maintenance of these roads and cart tracks by the Army is viewed by the community as critical due to the high fire risk at Camp Bonneville, which was part of the Yacolt Burn and two other major burns within the recent past.

The estimated cost for on-site road improvements for the Reuse Plan is \$998,000. This includes costs for repairing existing paved roads between the main entry and Camp Bonneville cantonment, constructing a new asphaltic concrete road to the location of the rustic retreat center expansion, and repairing and widening existing gravel roads from Camp Bonneville cantonment to the firing ranges.

3.4.2 Water Systems

The current water systems provides service only to the two cantonment areas. No service is provided along Range Road past the meadow area or to other areas on the site.

There are two well sites, two reservoirs, and two independent water systems serving Camp Killpack and Camp Bonneville respectively. According to Army staff, the water quality from both of these systems has passed all of the local health department requirements. Army staff have stated that the existing water systems at both camps are in poor condition.

The Camp Killpack water system consists of a well site approximately 70 vertical feet above the camp and about 800 feet due north. This well was drilled in 1949 and is located about 50 feet from the reservoir. According to the Army maintenance staff and well reports, this well

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produces approximately 32 gallons per minute and fills an unlined in-ground concrete reservoir. The volume of the reservoir is approximately 1,350 cubic feet or about 10,000 gallons. According to the Army staff, this water system was inadequate to meet the needs of Army personnel during times of normal camp occupation.

The Camp Bonneville water system is pressurized by gravity flow from a reservoir located above the camp. The water pressure at the camp due to the hydrostatic head is approximately 35 psi. This system is reported by Army staff and well reports to have a capacity in excess of 100 gallons per minute. The reservoir is fed by two well sites. The original well was drilled in the late 1970's and a second well site was installed at the east end of the camp in 1978. These well sites feed into an in-ground, unlined concrete reservoir located approximately 80 vertical feet above the camp and about 800 feet due north. The reservoir was built in the late 1940's and has a capacity of about 6,900 cubic feet or around 51,700 gallons. Camp Bonneville has not experienced any water shortages according to Army personnel.

The Camp Bonneville site has valid water rights for its existing wells. These rights should be transferred to Clark County and may need to be expanded to allow facilities to meet current fire flow requirements if a local public utility water source is not utilized.

There are no fire hydrants or other fire suppression facilities existing on-site. The local county fire district is currently responsible to respond when a fire event occurs at Camp Bonneville. A fire engine of the fire district had been housed at Camp Bonneville until repeated vandalism (due to less activity at the site) caused it to be removed from the site.

The existing water systems at both camps (from the reservoirs to the buildings) have exceeded their design lives. There are two methods of correcting this deficiency. The first is to abandon the existing piping system in favor of a public utility service from Clark Public Utilities. The closest water main is more than two miles west of the site. The cost for connecting to this service has not been determined at this time. However, the construction of on-site utility corridors with 18,920 linear feet of water lines, as illustrated in Figure 10, is estimated to cost approximately \$950,000.

The second alternative is to replace the existing piping system and continue to rely on existing wells. The cost to make such improvements to the current system has been estimated at \$97,500. If existing wells are to be relied on for future uses, their flow may need to be enhanced to meet future fire flow requirements. An estimate for creation of additional well capacity has not been made because it is dependent on the depth and availability of ground water, neither of which can be determined without on-site investigation falling outside the scope of this report.

3.4.3 Sanitary Sewer Systems

Camp Killpack and Camp Bonneville have a gravity sewer system which flows to a pump station just southwest of Camp Bonneville. Also flowing into the lift station is a two-inch force main. From the lift station, the effluent is pumped to two unlined, concrete aeration ponds located east

Camp Bonneville Reuse Plan

of Camp Bonneville, with a total capacity of 3.2 million gallons. There appears to be significant inflow of ground water and storm water into these aeration ponds because they are not covered and receive surface run-off from the hill to the north. There is also concern that these concrete ponds may be cracked resulting in ground water infiltration and effluent leaching into the ground water and nearby Lacamas Creek. The Army will be conducting soil testing in the lagoon area, with results available by December 1998.

The effluent discharge system is a surface application spray system into the woods east of the ponds. This existing system does not meet current State health department requirements for year round use and will have to be either restricted to a limited time during the dry months of the summer, modified, or replaced with a new sanitary sewer system. According to the Army maintenance personnel, the existing sewer disposal system has not been operational for at least the past five years. The system has not been active because there has been little sewer inflow into the system due to the low occupancy of the camp facilities.'

The Army Corps of Engineers has been developing a reuse manual for the lagoon system. A draft of this manual was provided to the LRA in August, 1998 which will need to review the information before decisions can be made on future use of the current system. A lagoon site survey/remediation study was scheduled by the Army Corps of Engineers for Fall '97, then rescheduled for December 1998. Results of this study have been requested by the LRA and will be reviewed by the LRA prior to any final decisions by the LRA on future use of the system. The Washington State Department of Ecology (DOE) will also then be asked to further evaluate the system to determine future usability and the Army's compliance or non-compliance with any relevant environmental regulations related to continued usage or to closure. If the current system is determined (as is expected) to not be reusable, the County may not accept transfer of the sewage lagoon system, and restrooms will be constructed using septic systems. Use of composting and incinerating toilets throughout the site will also be further explored.

For planning purposes, the basic assumption is that the existing lagoon system is in severe disrepair and will require significant rehabilitation at considerable cost to meet environmental permit requirements. Construction cost allowances of \$291,250 have been made for various sanitary system upgrades. However, replacement of sanitary systems in the form of community septic facilities as a back up situation has not been evaluated at this time and is pending Army, DOE, and Southwest Washington Health District studies of the existing lagoon system. While not budgeted in the infrastructure costs for the reuse plan at this time, the construction of new on-site sanitary sewer distribution lines, in the utility corridors shown on Figure 9B, is estimated to cost approximately \$950,000.

3.4.4 Buildings

Camp Bonneville is located north of Pluss Road, approximately one mile east of the camp's main gate. This camp consists of one-story wood structures including eleven barracks, men's and women's latrine, a recreation building, storage building, kitchen and dining hall, tear gas chamber (scheduled for demolition by the Army), wood storage, and a recreation & barracks building. The buildings at Camp Bonneville are not in compliance with current building codes. However, these buildings could be retrofitted to an acceptable level of code compliance. The

Camp Bonneville Reuse Plan

general condition of the structures at Camp Bonneville is of a lower quality than that of Camp Killpack. This is primarily due to the fact that the Corps of Engineers did not conduct a retrofit to improve this camp's building systems in 1990 as they did at Camp Killpack.

The estimated cost to bring the buildings up to required code and functional levels for the proposed reuses is \$1.3 million plus an allowance for septic system upgrades. Construction of a new multi-purpose building is estimated at an additional \$625,000.

Camp Killpack is located north of Pluss Road, approximately one-half mile east of the camp's main gate. This camp consists of one-story wood structures built prior to 1935, including nine barracks, men's and women's latrine, laundry, classroom and weight room, two shops (converted barracks), kitchen and dining hall, offices, and a fire station. According to Army staff, the Corps of Engineers undertook a retrofit of these buildings in 1990, which involved a number of structural, mechanical and electrical improvements. Although the buildings at Camp Killpack are not totally in compliance with current building codes, the preliminary assessment is that these are generally safe structures and could be used for a variety of activities similar to their historic use after appropriate upgrading. Cost to bring the buildings up to minimum ADA, fire safety and minimum building code requirements is estimated to be approximately \$313,000 plus allowances for septic system upgrades.

The deterioration of the buildings due to reduced maintenance levels is also of great concern to the LRA.

3.4.5 *Electrical Systems*

Electrical service is only available at the two cantonment areas. No service is provided along Range Road past the current FBI range or to other areas on the site.

Electrical power for Camp Bonneville is provided by Clark Public Utilities with pole-mounted overhead electrical wires and transformers. The electrical systems existing within buildings at both camps are provided by grounded electrical distribution service. The barracks buildings are typically served by a 60 amp panel, and the kitchen and dining hall buildings are served by an 800 amp panel.

Lighting for the barracks buildings is by exposed incandescent bulbs mounted on four-inch junction boxes. The lighting for the mess hall and classroom buildings is by older-style fluorescent fixtures.

The cost to bring the two cantonment areas up to minimum current electrical standards is estimated to be approximately \$50,000.

TABLE 1
 BONNEVILLE CANTONMENT FACILITIES

BUILDING NUMBER	CONSTRUCTION TYPE	YEAR BUILT	PAST USE	CURRENT USE
1815	Metal building with a concrete floor.	1976	Well Pump House	Well pump house
1826	Wood building with a wood floor. The forced air HVAC is powered by a 275-gallon diesel AST	1927	Barracks	Barracks
1828	The forced air HVAC is powered by a 275-gallon diesel AST	1933	Barracks	Barracks
1833	Wood building with a concrete floor. The HVAC is electric powered.	1927	Latrine	Latrine
1834	Wood building with a wood floor. This building has no HVAC.	1927	Training Chamber	This facility is not currently in use.
1837	Wood building with a wood floor. The forced air HVAC is powered by a 275-Gallon diesel AST.	1927	Barracks	Barracks
1847	Wood building with a wood floor. The forced air HVAC is powered by a 275-gallon diesel AST.	1927	Barracks	Barracks
1848	Wood building with a wood floor. The forced air HVAC is powered by two 275-gallon. diesel ASTs.	1933	Mess Hall	Mess Hall
1857	Wood building with a wood floor. The forced air HVAC is powered by a 275-gallon diesel AST.	1927	Barracks	Barracks
1864 ^a	Wood building with transite siding and a concrete floor. This building has no HVAC.	1955	Grounds Shop	Grounds Shop. Storage of miscellaneous grounds equipment including 3 all terrain vehicles, small gas containers, and car size batteries.

Camp Bonneville Reuse Plan, Section 3, Table 1

Camp Bonneville Reuse Plan

1867	Wood building with a wood floor. The forced air HVAC is powered by a 275-gallon diesel AST.	1927	Barracks.	Barracks
1911	Wood building with a wood floor. The forced air HVAC is powered by a 275-gallon diesel AST.	1933	Barracks	Barracks
1920	Wood building with a wood floor. The forced air HVAC is powered by a 275-gallon diesel AST.	1933	Barracks	Barracks
1922	Wood building with a wood floor. The forced air HVAC is powered by a 275-gallon diesel AST.	1933	Barracks	Barracks
1930	Wood building with a wood floor. This building has no HVAC	1933	Cold Storage	Storage
1932	Wood building with a wood floor. The forced air HVAC is powered by a 275-gallon diesel AST.	1933	Barracks	Barracks
1934	Wood building with a concrete floor. The HVAC is electric powered.	1933		Latrine
1940	Wood building with a wood floor. The forced air HVAC is powered by two 275-gallon diesel ASTs.	1933	Day Room/AAFES Branch	Day Room/Classroom
1942	Wood building with a wood floor. The forced air HVAC is powered by a 275-gallon diesel AST.	1933	Barracks	Barracks
1962	Unknown	1933	Unknown	Burned
1963	Wood building with a wood floor. This building has no HVAC.	1928	Storage	Storage. This building stores construction materials, such as paint, wood, sacks of concrete, and nails
1980	Wood building with a wood floor. The forced air HVAC is powered by a 275-gallon diesel AST.	1928	Command Post	Command Post

Camp Bonneville Reuse Plan, Section 3, Table 1

Camp Bonneville Reuse Plan

190	Unknown	Unknown	Outdoor Theater	Burned
1992	Metal building with a concrete floor. This building has no HVAC.	1978	Water Well Pump House	Water Well Pump House
1995	Metal building with a concrete floor. This building has no HVAC.	1978	Sewage Treatment Chemical Storage.	Sewage Treatment Chemical Storage. This building stores sodium hypochlorite, typically up to 10 gallons.
1997	Concrete	1978	Sewage Lift Station	Sewage Lift Station
2663	Concrete building with a concrete floor. This building has no HVAC.	1952	Water Treatment Chemical Storage	Water Treatment Chemical Storage. This building stores sodium hypochlorite, typically up to 10 gallons.
2950	Subsurface concrete building with a concrete floor. This building has no HVAC.	1976	Ammunition Bunker	Ammunition Bunker. This building stores the various types of ammunition brought on site by units using the facility.
2951	Subsurface concrete building with a concrete floor. This building has no HVAC.	1976	Ammunition Bunker	Ammunition Bunker. This building stores the various types of ammunition brought on site by units using the facility
2953	Subsurface concrete building with a concrete floor. This building has no HVAC.	1976	Ammunition Bunker	Ammunition Bunker. This building stores the various types of ammunition brought on site by units using the facility

Notes:

AST: Aboveground storage tank

HVAC: Heating, ventilation, air conditioning

(a): Information regarding hazardous materials/waste management associated with this facility is discussed in Section 3.4. 1.

Camp Bonneville Reuse Plan, Section 3, Table 1

Camp Bonneville Reuse Plan

TABLE 2
KILLPACK CANTONMENT FACILITIES

Building Number	Construction Type	Year Built	Past Use	Current Use
4125	Wood frame structure with a dirt floor. This building has no HVAC.	1958	Storage	Storage This open structure is used as a carport to store vehicles.
4126	Wood building with a wood floor. This building has no HVAC.	1958	Storage	No longer in use.
4155	Wood building with a wood floor. The HVAC is electric powered.	1935	Barracks	Housing
4314	Wood building with a wood floor. The HVAC is electric powered.	1935	Barracks	Barracks
4316	Wood building with a wood floor. The HVAC is electric powered	1935	Barracks	Barracks
4325	Wood building with a wood floor. The HVAC is electric powered.	1935	Barracks	Barracks
4327	Wood building with a wood floor. The HVAC is electric powered.	1935	Barracks	Barracks
4337	Wood building with a concrete floor. The HVAC is electric powered.	1935	Latrine	Latrine
4345	Wood building with a wood floor. The HVAC is electric- powered.	1935	Barracks	Barracks
4348	Wood building with a wood floor. The HVAC is electric- powered.	1935	Barracks	Barracks
4356	Wood building with a wood floor. The HVAC is electric- powered.	1936	Barracks	Barracks
4364	Wood building with a concrete floor. The HVAC is electric powered.	1935	Latrine	Latrine
4366	Wood building with a wood floor. The HVAC is electric- powered.	1936	Barracks	Barracks
4368	Wood building with a wood floor. The HVAC is electric- powered.	1935	Barracks	Barracks

Camp Bonneville Reuse Plan, Section 3, Table 2

Camp Bonneville Reuse Plan

4377	Wood building with a wood floor. The HVAC is electric- powered.	1935	Barracks	Barracks
4378	Wood building with a concrete floor. This building has no HVAC.	1935	Storage	Storage. This building stores items associated with grounds maintenance, such as lawnmowers, small gasoline containers, 32-ounce containers of oil, and weed whackers.
4387	Wood building with a wood floor. The HVAC is electric- powered.	1935	Barracks	Barracks
4389	Wood building with a wood floor. The HVAC is electric- powered.	1935	Mess Hall	Mess Hall
4398	Wood building with a wood floor. The HVAC is electric- powered.	1935	Barracks	Range Control
4475	Wood building with a concrete floor. This building has no HVAC.	1937	Vehicle Maintenance	Vehicle Maintenance. This building is used to store vehicles and items associated with vehicle repair.
4475a ^a	Metal shed with a metal floor.	1992	Hazardous Materials Storage	Hazardous Materials Storage. This building was observed to store a 55-gallon drum of oil and several containers of antifreeze.
4475b ^a	Metal shed with a metal floor.	1992	Hazardous Materials Storage	Hazardous Materials Storage. This building was observed to store 4 55-gallon drums of oil, 4 55-gallon drums of antifreeze, and 8 55-

Camp Bonneville Reuse Plan, Section 3, Table 2

Camp Bonneville Reuse Plan

				gallon drums of transmission oil.
4476 ^a	Cinder block shed with a concrete floor.	1990	Covered Storage	Covered Vehicle Maintenance Storage. This building stores miscellaneous supplies for vehicle maintenance, including a 55-gallon drum used to collect waste oil.
4476a	Metal roof with concrete secondary containment.	1994	1,000-gallon AST	This building is covered storage for a 1,000-gallon AST with secondary containment.
4483	Wood building with a concrete floor.	1993	Fire Station.	Fire Station. Relocated fire station stores one fire truck.
4522	Metal building with a concrete floor.	1950	Water well pump building	Water Well Pump Building

Notes:

AST: Aboveground storage tank

HVAC: Heating, ventilation, air conditioning

(a): Information regarding hazardous materials/waste management associated with this facility is discussed in

Section 3.4. 1.

Camp Bonneville Reuse Plan, Section 3, Table 2

TABLE 3
RANGE NUMBERS, USE, AND WEAPONS TYPE

Range Number	Use	Weapons
R-1	Small Machine Gun Range	.30 caliber
R-2	Pistol Range	22 through 45 Caliber
R-3a	K.D. Rifle Range	M1, M14
R-3b	Night Fire range	NA
R-4	Automated Record Fire and 25 Meter Zero	M16
R-5	Field Firing Range	M1, M14
R-6	Record Firing Range	50 caliber, shotgun, pistol
R-7	1,000 Inch Machine Gun and Moving Target	50 caliber
R-8	F.B.I. Range	45 caliber, 9 mm, 357, 38 caliber
R-9	Combat Pistol Range	22 through 45 caliber
R-10	Grenade Launcher Range	40 mm
R-11	Mortar Range	14.5 Artillery Subcaliber
R-12	Mortar Range,	14.5 Artillery Subcaliber
R-13	Mortar Training Shell Course	M203, LAW, and mortar
R-14	25 meter and Machine Gun Range	M-1, M-16, and 50 caliber machine gun
R-15	Live Grenade	Grenades, Claymore mine
R-16	Rifle Grenade/25 Meter Small Machine Gun	M1 and 30 caliber small machine gun

Camp Bonneville Reuse Plan, Section 3, Table 3

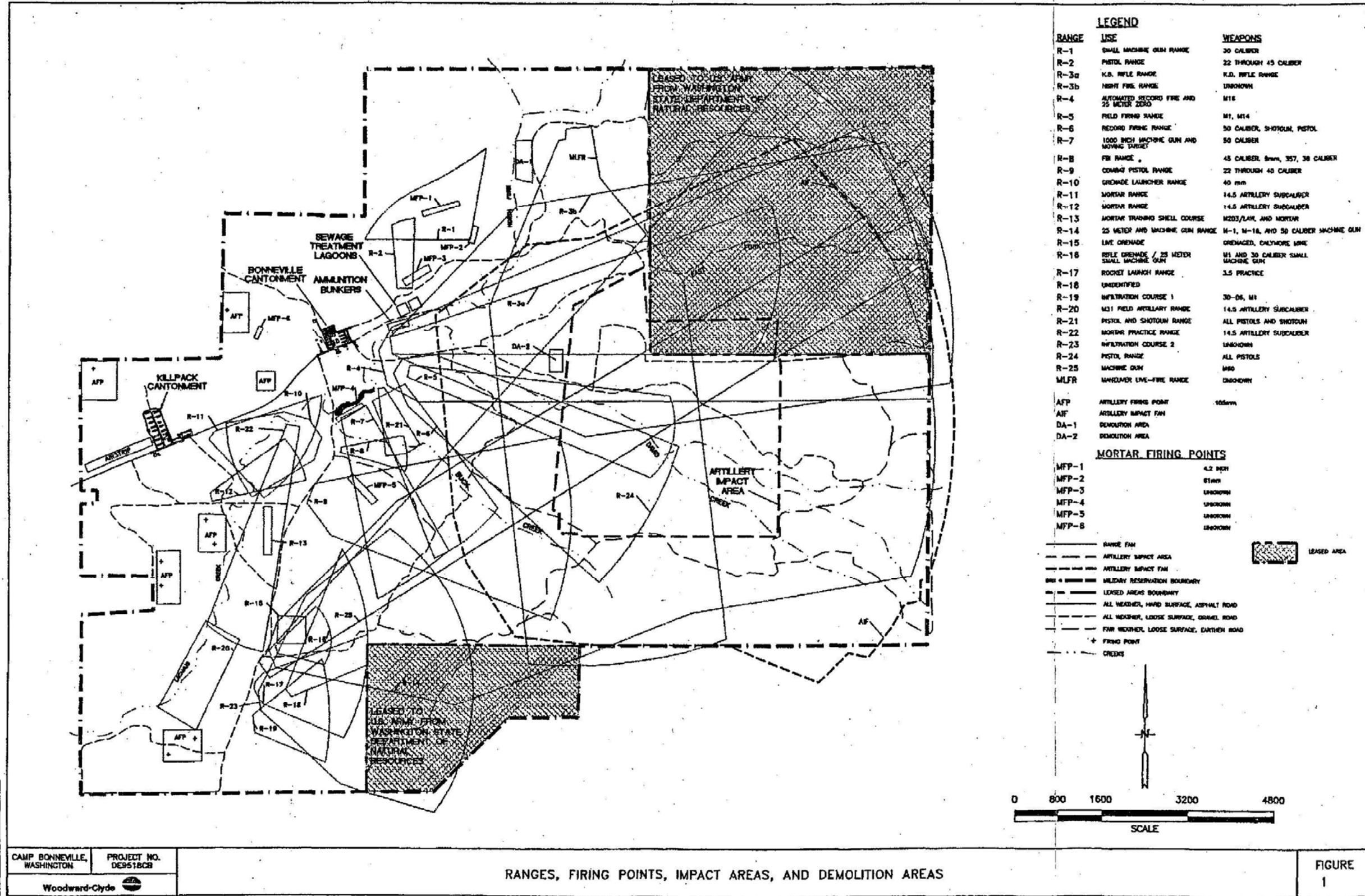
Camp Bonneville Reuse Plan

R-17	Rocket Launch Range	3.5 Practice
R-18	Unidentified	NA
R-19	Infiltration Course 1	30-06, M1
R-20	M31 Field Artillery Range	14.5 Artillery Subcaliber
R-21	Pistol and Shotgun Range	All pistols and shotgun
R-22	Mortar Practice Range	14.5 Artillery Subcaliber
R-23	Infiltration Course 2	Unknown
R-24	Pistol Range	All Pistols
R-25	Machine Gun	M60
MLFR	Maneuver Live-Fire Range	Unknown
AFP	Artillery Firing Point	105 mm

Note:

NA: Not available

Camp Bonneville Reuse Plan, Section 3, Table 3



CAMP BONNEVILLE, WASHINGTON
PROJECT NO. DE951BCB
Woodward-Clyde

RANGES, FIRING POINTS, IMPACT AREAS, AND DEMOLITION AREAS

FIGURE 1

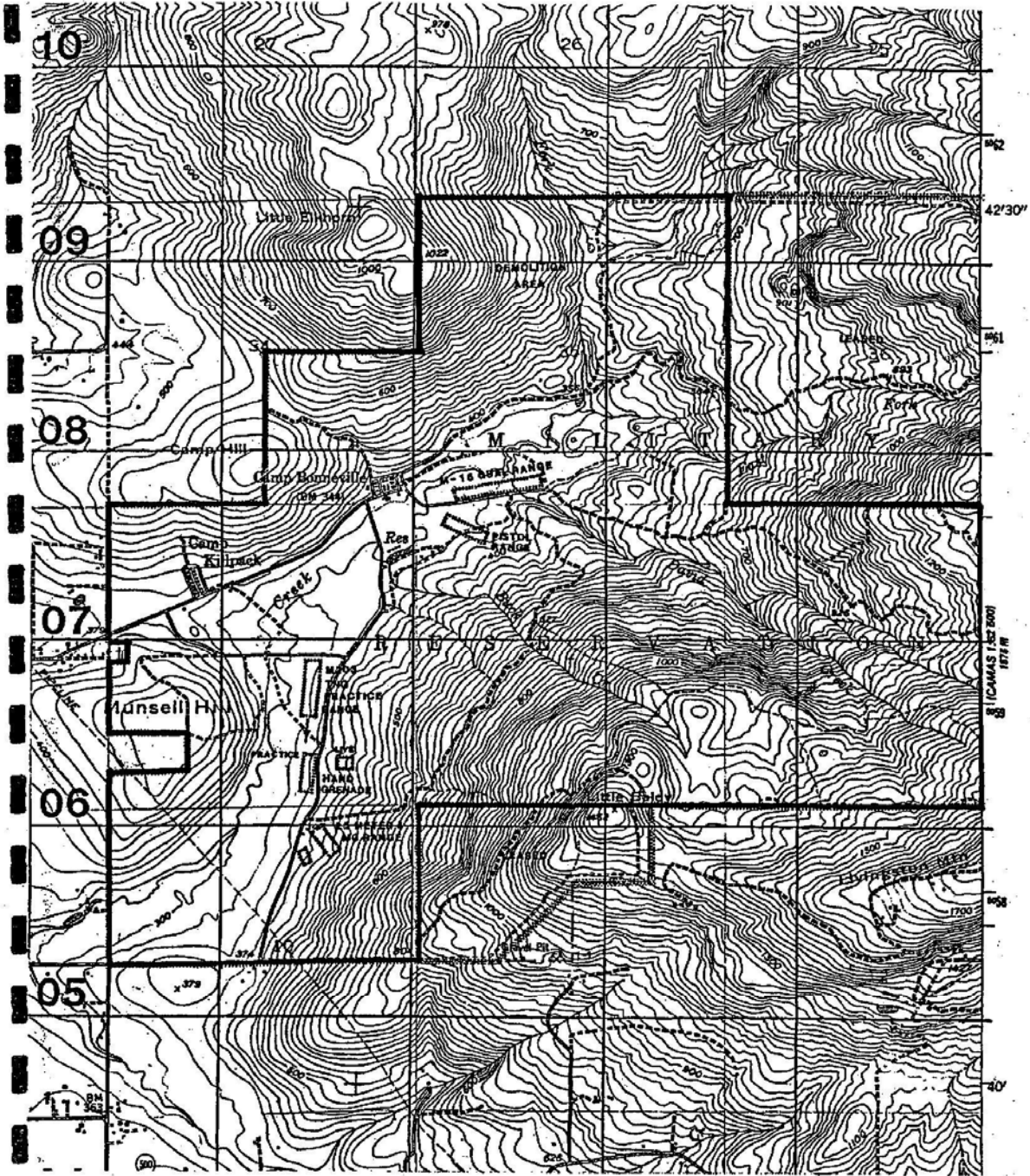
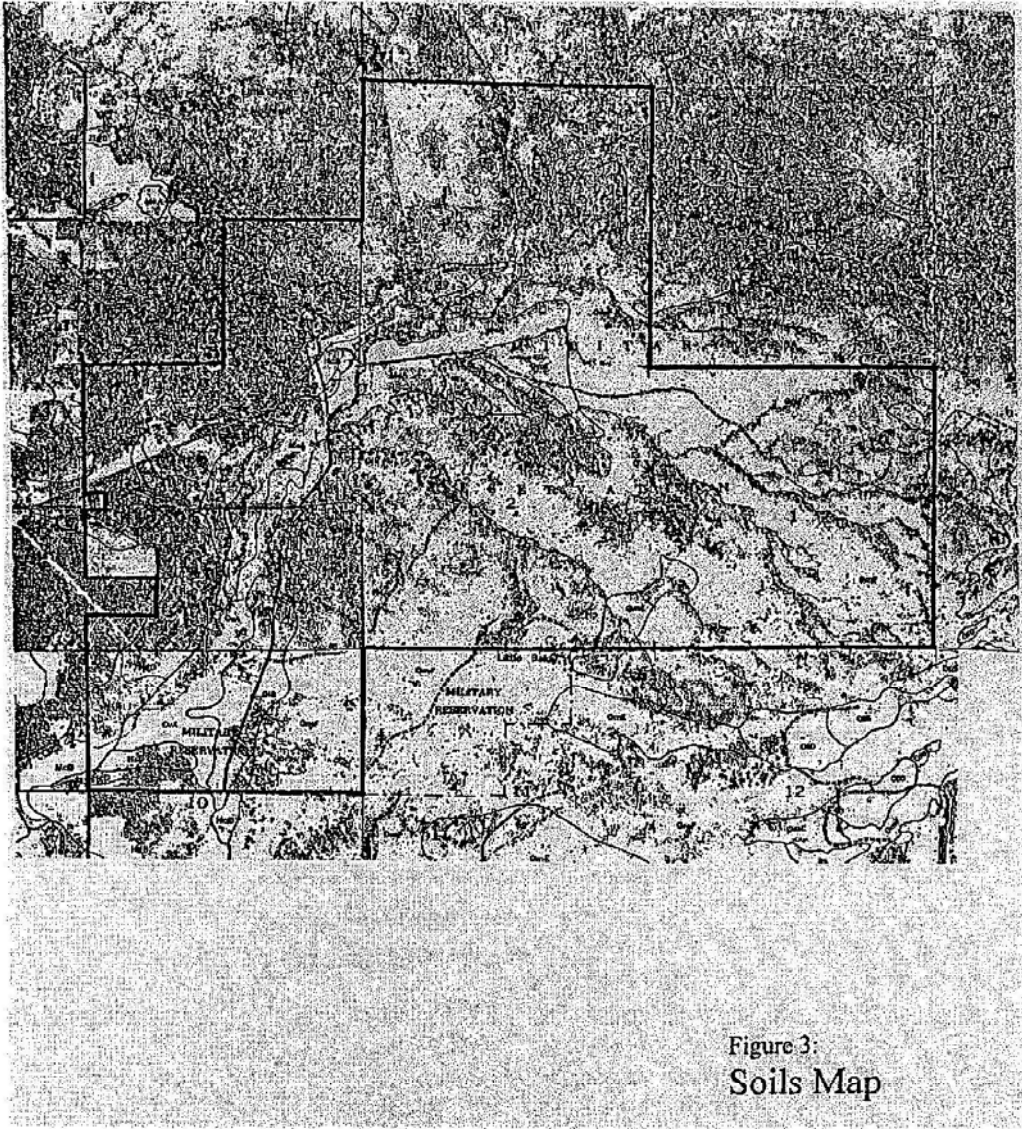


Figure 2:
Site Topography Map



4.1 Planning Framework

The following Principles for Camp Bonneville Local Redevelopment Authority Planning were established and approved by the LRA Reuse Planning Committee on June 19, 1996 and by the Clark County Board of Commissioners on May 20, 1997:

-
- ***Self-Sustaining*** - Any redevelopment proposed for Camp Bonneville must have funding sources which will over the long term cover all expenses for capital improvements and ongoing operations and maintenance. A financial plan will be developed which will ensure that the reuse activities will be self-sustaining in phases over a five year period.
- ***Locally Focused and Directed*** - Redevelopment will focus on meeting the needs of the local Clark County community. The planning process for redevelopment will, wherever possible, be directed by representatives of the local community.
- ***Open Process*** - A concerted effort will be made to ensure that ideas and concerns of individuals and groups affected by base closure and reuse will be heard and given adequate consideration and response. Active and open communications between all parties involved in the reuse planning process will be fostered to result in an atmosphere with no surprises. Community involvement and media relationships will be promoted to enhance the public's understanding of the reuse planning process.
- ***Consideration of Impact to the Surrounding Neighborhoods*** - Reuses proposed must be compatible with the infrastructure and rural nature of the area surrounding Camp Bonneville.

The Camp Bonneville site is not appropriate for housing of offenders, however, offender crews will be utilized for maintenance activities as in current county parks.

Timber management will be a revenue source at Camp Bonneville primarily through selective thinning. There will be no "clear cuts" except where required for site development and environmental management purposes.

- ***Overall Community Need*** - The Reuse Plan will reflect the needs of the community, but may not include all reuses which are proposed in public hearings, letters, calls, by the LRA Reuse Planning Committee, the Steering Committee, and/or the Steering Committee subcommittees.
- ***Cooperation and Consensus-Building*** - The local community will work with state and federal agencies, tribal interests, and agencies serving the homeless to reach consensus on what is best for the local Clark County community.
- ***Environmentally Conservative*** - Any development proposed must be compatible with the rural and natural state of the property. To the extent possible, the aesthetics and

Camp Bonneville Reuse Plan

environmental qualities of the Camp Bonneville property will be maintained. The environment will be enhanced through redevelopment, with careful attention to wildlife corridors, wetlands, and endangered and/or threatened species.

4.2 Study Approach and Planning Process

The reuse planning study approach for Camp Bonneville generally followed the recommended reuse planning process and guidelines described in the Community Guide to Base Reuse prepared by the Office of Economic Adjustment of the Office of the Secretary of Defense . The reuse planning process consisted of the following components:

Data Collection and Analysis by LRA subcommittee members and staff

- Technical Studies by Consultant
- Preparation of Preliminary Reuse Alternatives
- Evaluation of Reuse Alternatives
- Preparation of a Recommended Camp Bonneville Reuse Plan
- Recommended Management Structure for Plan Implementation

The following, in approximate chronological order, describes the reuse planning process which was undertaken by Clark County and resulted in development of the Reuse Plan for Camp Bonneville:

- Clark County established and was recognized by the Office of the Secretary of Defense as the Local Redevelopment Authority (LRA) for the Camp Bonneville Reuse Plan. The Board of County Commissioners is the LRA Board, with oversight of the planning process provided by a five member Reuse Planning Committee.
- The LRA, after public hearings, appointed six subcommittees to assist with reuse planning effort. LRA meetings were held from November 1996 through June 1996, and from April 1997 through May 1998.
- Three alternative development scenarios were prepared for Steering Committee review and comments from November 1997 through January 1998.
- RPC reviewed, and after holding public hearings, modified the Steering Committee's preferred reuse plan and forwarded the RPC's draft reuse plan to BOCC.
- BOCC public hearings were held on May 7 & 14, 1998.
- Draft reuse plan modified per BOCC decision in June 1998.
- BOCC approval of draft reuse plan.
- Reuse plan refinement and costs updated to current year dollar amounts, February 2003.
- Reuse plan update to reflect Conservation Conveyance, NOV 2005

4.3 Technical Studies

Camp Bonneville Reuse Plan

In addition to information provided by LRA subcommittee members, the consultant reviewed reports prepared by the U.S. Army, other federal agencies, and Clark County. Interviews were conducted with local government officials, key community representatives, Army base closure office staff, and the relevant state, regional, and local agency personnel. Data collection included the final BRAC Cleanup Plan Report for Camp Bonneville (dated October 1996), the draft final Environmental Baseline Survey Report for Camp Bonneville (dated November 27, 1996), base maps provided by the Army, as well as the Army's recent building inventories. On-site inventory of existing conditions supplemented the data collected from existing records and a building inventory was conducted to evaluate their reusability.

In addition to the infrastructure evaluation, market and financial feasibility analyses were conducted, as well as an evaluation of the noise impact of firing ranges on the other reuses and the surrounding neighborhood.

Regional law enforcement agencies contributed funding to expand the original scope of work to include an analysis of the feasibility of developing a regional law enforcement training center at Camp Bonneville. (See Appendix G).

4.4 Public Participation and Alternate Scenario Development

Reuse advocates from the local community prepared detailed business plans including information on the reuse, space and facilities required for each proposed use. These plans were reviewed by other reuse advocates and the advisory committees to identify areas of incompatibility, neighborhood impact, financial cost and benefit, and overall community need. Subcommittees identified areas that needed more technical evaluation. These technical studies were funded through the OEA reuse planning grant. Throughout these studies, information obtained was shared with the Steering Committee, with information requests regularly made of subcommittee members in a cooperative process with consultant and staff.

As part of the public participation, approximately 27 public meetings were held, including:

- November 1995 to January 1996 - Public meetings for input on potential reuses.
- February to June 1996 - Subcommittee, Steering, and Reuse Planning Committee meetings
- April 1997-January 1998 - Subcommittee, Steering and Reuse Planning Committee meetings
- July 17, 1997 - Public meeting by the LRA Reuse Planning & Steering Committees
- January 28, 1998 - Public meeting by the Reuse Planning Committee.
- January 31, 1998 - Open House at Camp Bonneville.
- February 2 & 18, 1998 - Public hearings by the Reuse Planning Committee.
- May 7 & 14, 1998 - Public hearings by the Board of County Commissioners, acting as the Local Redevelopment Agency.

Camp Bonneville Reuse Plan

Public meetings were advertised, and newsletters were also sent to Clark County residents to inform them of the past, present and future reuse planning efforts; solicit their comments; and notify them of upcoming public hearings, meetings, and open houses. Outreach efforts to solicit notices of interest in the property from agencies serving the homeless, as well as to state, local, and tribal governments, were also conducted in 1996, with two workshops held on-site at Camp Bonneville. Information such as reports and newsletters has also been made available on a website (www.co.clark.wa.us).

A series of planning graphics were prepared to identify the opportunities and constraints potentially affecting the reuse of Camp Bonneville's facilities, land areas, natural resources, and surrounding neighborhoods. The resulting mapping summarized the data collection effort and technical studies providing a planning framework from which reuse alternatives were generated in the subsequent phases of reuse planning.

Three alternative development scenarios (**Figures 5, 6, and 7**) were prepared by the planning consultant team, based on input received from the Steering Committee and its subcommittees. From these three scenarios, a preferred plan scenario (**Figure 6**) and an alternate plan scenario (**Figure 5**) were recommended by the Steering Committee and forwarded to the Reuse Planning Committee for their consideration. Reuses recommended by the Steering Committee included: regional park; equestrian and hiking trails; orienteering; outdoor school/rustic retreat center; Native American Cultural Center; Clark College classrooms and environmental study area; paragliding; model airplanes; paintball; search & rescue dog training; RV camping; and tent camping (in organized campground areas only).

After public hearings and meetings with the Steering Committee, the Reuse Planning Committee modified the Steering Committee's recommended plan as follows: The law enforcement firing ranges, law enforcement training center, and an area reserved for potential future public firing range usage were added to the reuse plan (**Figure 8**). The Reuse Planning Committee included the Emergency Vehicle Operations Course (EVOC) in the reuse plan, but recommended that the EVOC be located at Camp Bonneville only if there are no other feasible locations available elsewhere in the county. Paragliding, paintball, and model airplanes were removed from the Steering Committee's recommended plan. The RPC agreed with the Steering Committee's recommendation to not include hunting, four wheel drive vehicle trails, and a motor bike trailhead and access road in the reuse plan. The Reuse Planning Committee also recommended concentrating development in the two barracks area, and moving the proposed Clark College classrooms to the Camp Killpack barracks area from the location at the southwest corner of the property that had been requested by Clark College.

On May 7, 1998, the Clark County Board of Commissioners held its public hearing to consider testimony on the reuse plan proposed by the Reuse Planning Committee. The Board of Commissioners continued the hearing to May 14, 1998 for their deliberations and decision on the reuse plan. The Board of Commissioners requested the Reuse Planning Committee's reuse plan be modified as follows (**Figure 9**): the EVOC was eliminated, RV and tent camping to be located to protect the Lacamas Creek riparian zone, and consideration be given to designating an area for a potential military cemetery adjacent to the existing Livingston Cemetery. The

Camp Bonneville Reuse Plan

Commissioners requested a draft reuse plan be submitted for their approval and submittal to the Army.

4.5 Preferred Reuse Plan

The following components make up the **final Reuse Plan** for Camp Bonneville:

4.5.1 Regional Park

A regional park approximately 1,000 acres in area is recommended along the western portion of the Camp Bonneville property. This public park will provide needed opportunities for the local community to enjoy both active and passive recreation activities. It is proposed that this regional park be managed and maintained by Clark County.

Proposed public park facilities include the following recreational opportunities:

- Recreation trails (for hiking, mountain bicycling, and equestrian use)
- Group picnic areas and picnic shelters
- Amphitheater and stage (for outdoor school and small local events)
- Meadow area for group picnicking and recreation sports activities
- Restroom facilities
- Tent camping facilities
- Recreational vehicle camping facilities
- **Public firing range**
- Archery practice range
- Park watch person's residences
- Vehicular access road
- Designated parking areas
- Ponds for recreational use and environmental education
- Native American cultural center at the Bonneville cantonment area
- Environmental study area
- Orienteering

Personal property at Camp Bonneville was inspected and evaluated by County staff in 1996. A second evaluation will be conducted by September 1998 to identify items which are needed for the reuse plan. It is anticipated that much of the kitchen equipment will be essential, as well as maintenance equipment such as the following: Ford tractor with front loader and backhoe, John Deere tractor with a side arm sickle bar mower and a 6' rotary mower attached, a post hole auger, chipper/shredder, new flail mower, lawn mowers, and weed eaters. A complete list will be prepared after the second evaluation is completed.

4.5.2 Law Enforcement Training Center

Camp Bonneville Reuse Plan

A law enforcement training center is proposed to serve the regional needs of the law enforcement agencies of southwest Washington. At this facility, police officers will receive basic training, learn new skills, and firearms techniques. This law enforcement training academy will be one of the user groups for classrooms and offices which will be constructed at the Killpack cantonment area. In addition, local law enforcement firing ranges are proposed east of Lacamas Creek in the southwest section of Camp Bonneville. An equestrian riding ring would be provided in the general vicinity of Camp Killpack, which will be open to the general public when not required for law enforcement training. A physical fitness course and canine training area would also be provided in this area. The canine training area would also be used for training of search and rescue dogs. Firing ranges will include one handgun range, one rifle range, and an area provided for future construction of an indoor firing range. Adjacent to the ranges will be a shooting house, a training building where law enforcement officers are provided realistic environments for training in making decisions about whether or not to fire their guns.

Firing ranges will be constructed as needed by both law enforcement and the public. At the present time, the County Sheriff's Office has a shooting range, and two public firing ranges are available as well. Some of the firing range areas identified on the reuse plan are ranges that will be constructed if and when the present off-site firing ranges are closed due to increased development in their areas, or if these firing ranges no longer meet the needs of law enforcement and the public. Some range facilities, however, such as the shooting house and law enforcement rifle range, may be constructed soon after property transfer.

Classroom facilities will be shared with Clark College in a new facility to be constructed. If this new construction is not financed or if rezoning is not approved, the existing Killpack cantonment structures will need to be upgraded to meet current building codes, ADA requirements, and local government regulations for reuse as classrooms, administrative offices and other support facilities. The remainder of the buildings will be used as a retreat center/outdoor school, with shared usage of the law enforcement buildings when not used for law enforcement purposes.

The law enforcement firing ranges will have safety baffling reinforced with earthen berms, noise baffling to control sound to acceptable levels (compatible with park users and neighbors), and a perimeter fencing surrounding the range compound. These ranges will be operated six months per year during off-peak park and outdoor school usage months (October to March) with no weekend shooting and with shooting scheduled from 8 a.m. to 5 p.m. Evening shooting will be limited to meet minimal law enforcement training requirements, with scheduling subject to further discussions with a local neighborhood advisory group. Prohibiting firing range use (eliminating gunfire noise) during six months each year and on weekends year-round, will facilitate greater usage of all park areas, especially trails that are within close proximity to the ranges

4.5.3 Rustic Retreat Center/Outdoor School

A Rustic Retreat Center/Outdoor School is proposed as the primary reuse of the barracks areas. The retreat center/outdoor school will reuse many of the existing structures after upgrades are

Camp Bonneville Reuse Plan

completed for compliance with applicable building codes, structural and utility service improvements. New buildings such as a meeting hall will be located within the existing Camp Bonneville cantonment area.

An undeveloped area above and north of the Bonneville barracks area identified on the reuse plan (**Figure 9**) is proposed as a future expansion area for the retreat center.

4.5.4 Native American Cultural Center

Rattling Thunder, a non-profit Native American cultural group representing the area tribes, provides training (drums, art, Native American culture) to Native American youth in the region and assists in coordinating tribal activities such as regional pow wow's. Rattling Thunder requested use of a barracks building and access to kitchen and meadow areas at Camp Bonneville. The Native American Cultural Center will also be open to the general public visiting the regional park and outdoor school. The Cowlitz Indian Tribe and the Confederated Tribes of Grand Ronde were also involved in the planning process and are supportive of the development of a Native American Cultural Center at Camp Bonneville.

4.5.5 Clark College Environmental Field Station

Approximately fifty to sixty acres will be designated for environmental studies in the southwest corner of Camp Bonneville. This site was selected due to the various eco-systems in this creek watershed area and its suitability for water quality research, wildlife habitat studies and native plant community preservation and restoration programs. A new classroom building at the Killpack cantonment will also be constructed to provide three to six classrooms for use by Clark College and County law enforcement for environmental and law enforcement training. Construction of this new facility will require an amendment to the County's comprehensive plan.

4.5.6 Trails & Nature Area

Approximately 2,000 acres will be maintained for trails and nature areas in the central and eastern portions of the Camp Bonneville property. The public will access this area through hiking trails, mountain bike trails, and equestrian riding trails. Environmental learning areas will also be identified for use by all age groups. The County will also work the State Fish & Wildlife Service and US Fish & Wildlife Service to explore opportunities on the site to enhance the fish population and re-introduce native species. The majority of these recreational trails will utilize gravel and unpaved roads and cart tracks which already exist throughout the Camp Bonneville property, however additional trails will be created as funding becomes available. Trails in these natural areas will also be utilized by trail maintenance staff, timber management crews, and emergency response personnel such as fire fighters.

4.5.7 FBI Firing Range

An area immediately adjacent to the law enforcement firing ranges has been identified for lease by the FBI. The FBI's current range is located less than 1/10th mile from the meadow area, the primary area of public usage. Noise studies indicate that firing ranges must be located no closer than 2,000 feet from neighborhoods and public use areas. Because of this, the FBI has been asked (and has agreed) to move its range to the area which will meet this criteria. Due to safety issues, the FBI has been supportive of the LRA's requirement that the relocated FBI range be

Camp Bonneville Reuse Plan

baffled. The FBI has estimated past usage to be 60-80 days per year, with usage (except for emergency training) usually able to be scheduled in advance. It is essential for the viability of the regional park that FBI usage be limited to solely meeting the FBI's needs, particularly during the peak months for park and outdoor school usage at the nearby meadow areas. The FBI has been willing to share range usage with law enforcement agencies when FBI agents are available to oversee the usage.

With the closure of Camp Whythicum and the critical shortage of firing ranges, it is expected that law enforcement agencies will request additional usage of the FBI's range. If the property were to be directly transferred to the FBI, the LRA would have no ability to ensure that the FBI range is not put to constant usage, with firing range noise levels during peak park usage months creating a great risk of subsequent closure of the regional park and related activities. Although baffling provides safety, and buffers reduce noise, it is expected that unless more effective noise buffers are invented in the near future, gunfire will still be audible in many areas of the park. Numbers of park users may decrease significantly due to a desire by park users for quiet, natural sounds, and/or an aversion to the sound of gunfire, and/or an involuntary response of fear. The National Parks Service has expressed similar concerns and is willing to assist in sponsoring property transfer with a long term (up to 50 year) renewable lease to the FBI for a firing range site, limiting charges to actual costs incurred from FBI range usage.

4.5.8 Timber Resource Management Area

The Camp Bonneville property has significant forested areas which provide valuable wildlife habitat, stream water quality and watershed protection, and open space. Timber thinning is recommended as part of the management plan to maintain the health of this forest environment, reduce potential fire hazards, and provide a revenue product from timber sales. Forest Management goals will include, but not be limited to the following areas. To simulate an old growth timber stand structure by generating an older age class of the seral species which is Douglas fir. To optimize growth, yield and forest health. The County forestry staff is planning to use several silvicultural techniques to accomplish this, which will be addressed in detail in a forest management plan which will span a 50 year period.

The Timber Resource Management Area of Camp Bonneville is divided into two phases. Phase 1 consists of the western portion of the Camp Bonneville property, most of which is proposed as a county regional park. Phase 2 includes the balance of the property, the majority of which will be designated as open space greenway.

A Timber Inventory Estimate and Valuation Report, dated November 12, 1997, was prepared as part of this reuse planning study and is included as Appendix B of this report.

To prioritize parcels for cleanup, Clark County's forester will be conducting a more detailed evaluation, assisted by Explosive Ordinance Demolition (EOD) escorts provided by Fort Lewis. The Army's EE/CA report originally planned for January 1999 will estimate cleanup costs and evaluate technological options for cleanup. The more detailed timber analysis will identify parcels which are essential for the viability of the reuse plan, and together with the EE/CA will

Camp Bonneville Reuse Plan

allow the Army and the local community to identify a transfer timeline that will be in the interests of all.

4.5.9 Wetland/Riparian Area Restoration/Enhancement & Habitat Restoration

Part of the plan for redevelopment of Camp Bonneville includes the restoration and enhancement of existing wetland and riparian areas. Additionally, it is intended that the reuse development process will enhance the entire site for wildlife, fish and native plant

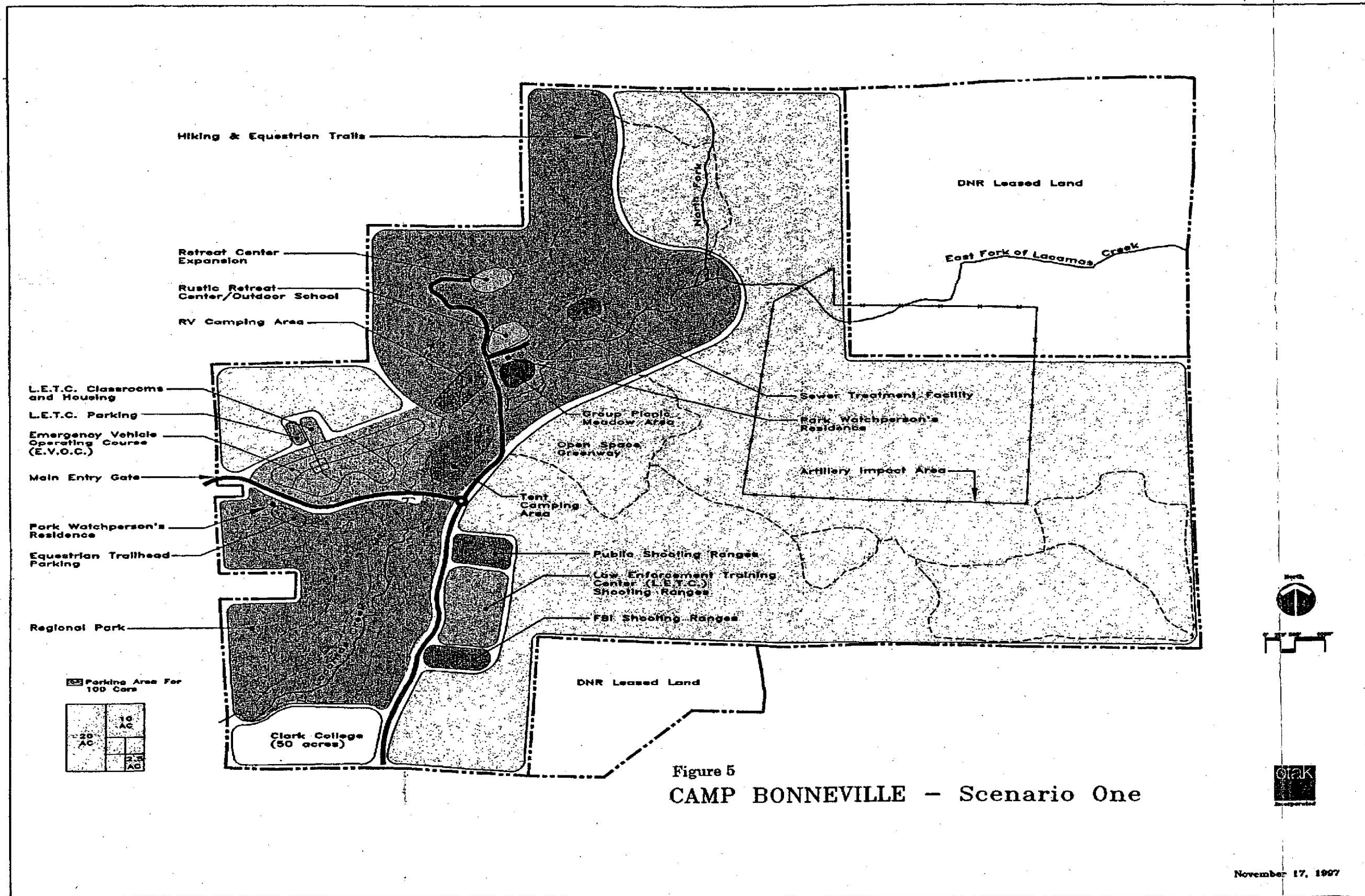


Figure 5
CAMP BONNEVILLE - Scenario One

November 17, 1997

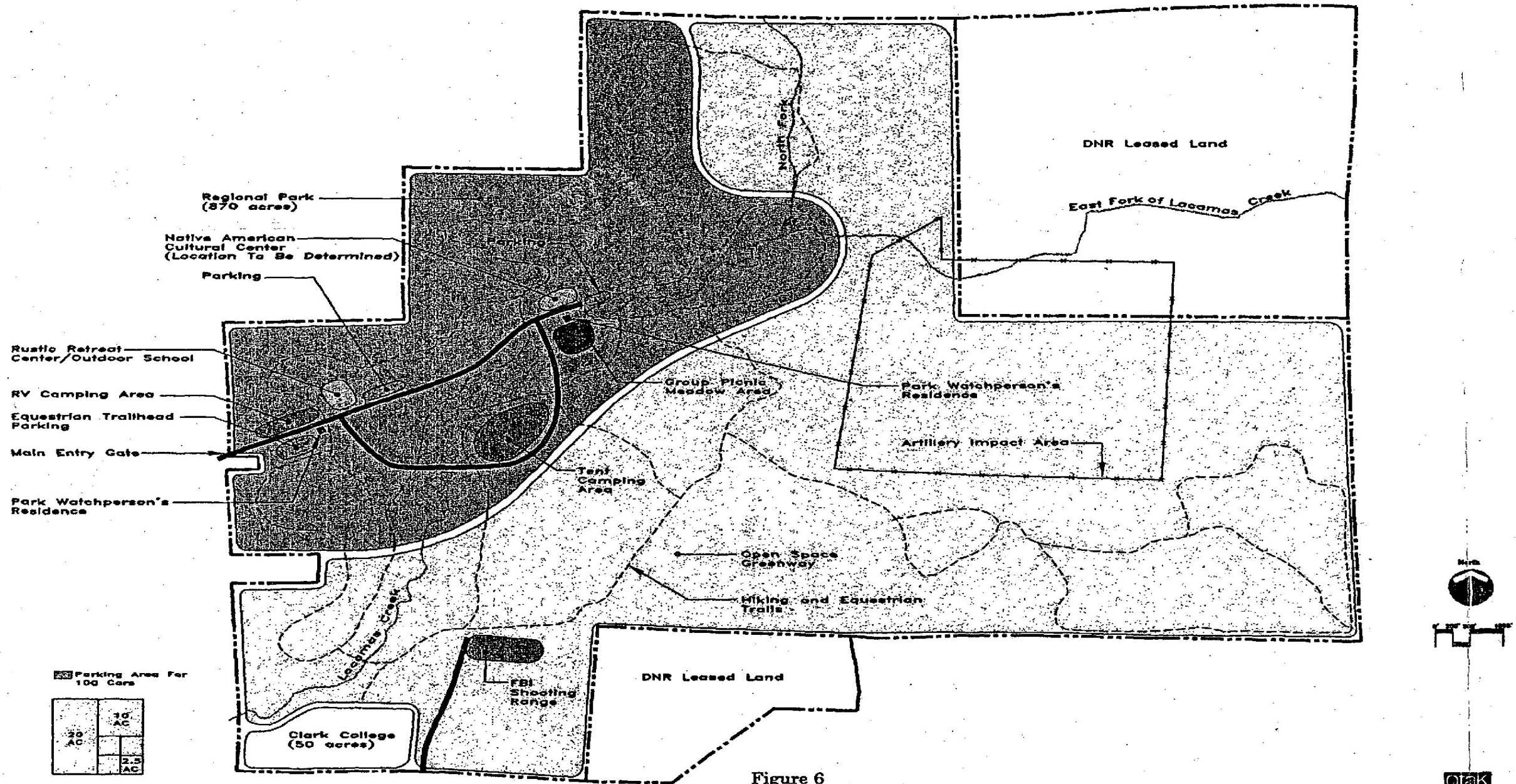
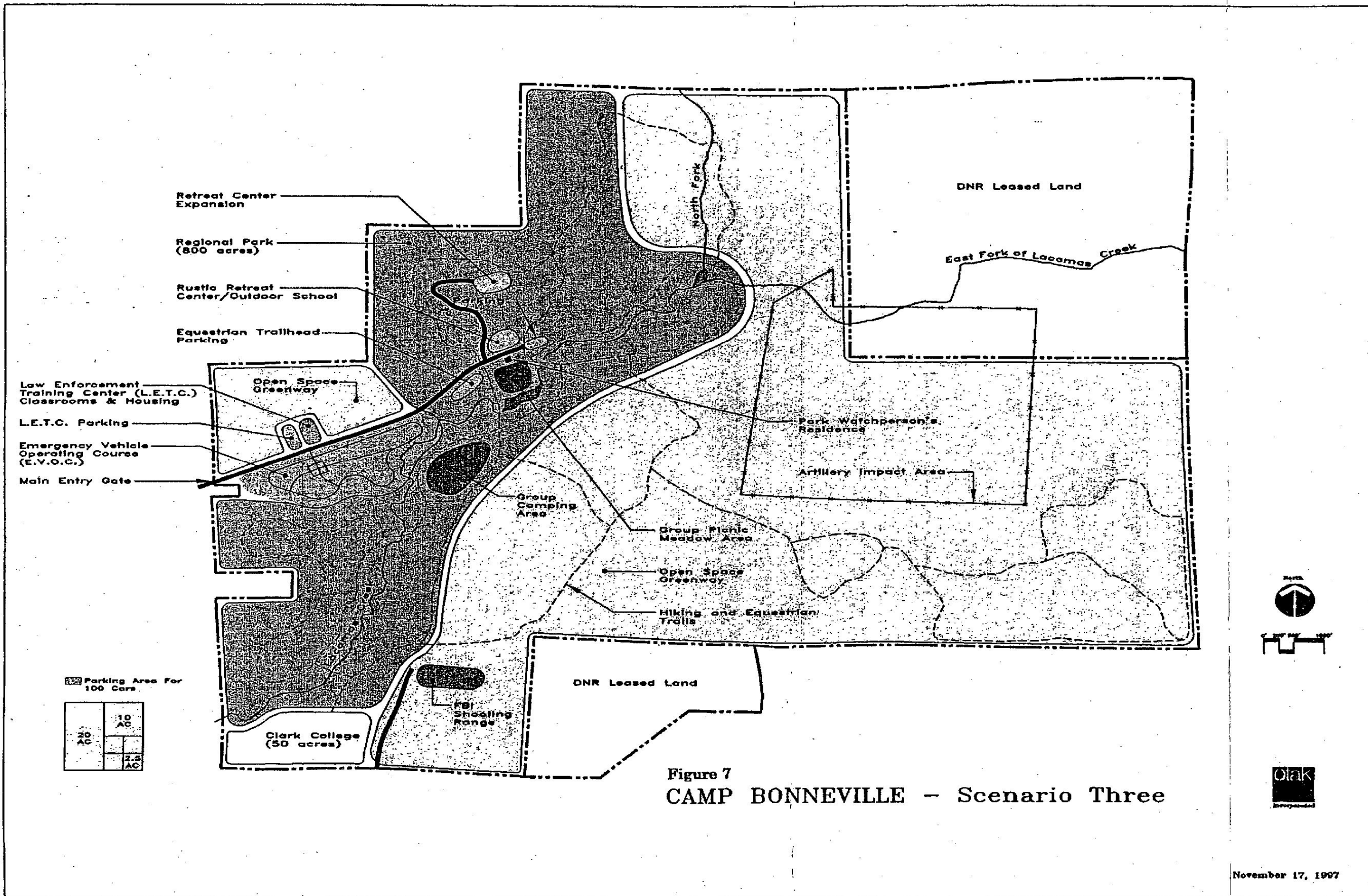


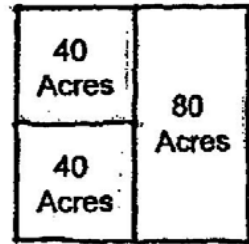
Figure 6
CAMP BONNEVILLE - Scenario Two

November 17, 1997





- Law Enforcement/Clark College/
Rustic Retreat/Outdoor School
Classrooms & Offices (C/O)**
- Reuse/Renovate Existing Camp Killpack Buildings
 - Classrooms
 - Administrative Offices
 - Future Building Expansion As Needed



- Rustic Retreat/Outdoor School (RR/OS)**
- Reuse/Renovate Existing Camp Bonneville Buildings
 - Classrooms
 - Lodging
 - Native American Cultural Center
 - New Multi-Purpose Building & Other Building Expansion As Needed

- Open Space Greenway (OSG)**
- Hiking Trails
 - Equestrian Trails
 - Mountain Bike Trails
 - Wildlife Habitat Area

- Regional Park (RP)**
- Hiking Trails
 - Equestrian Trails
 - Mountain Bike Trails
 - Picnic Areas & Shelters
 - Amphitheater & Stage
 - Restrooms
 - Tent Camping
 - RV Camping
 - Park Watchperson's Residences
 - Archery Range

- Clark College/Environmental Study Area (CC/ESA)**
- Field Station for Outdoor Studies

- Firing Ranges/EVOC (FR/EVOC)**
- Local Law Enforcement Ranges
 - FBI Range
 - Public Range
 - Emergency Vehicle Operating Course (EVOC)

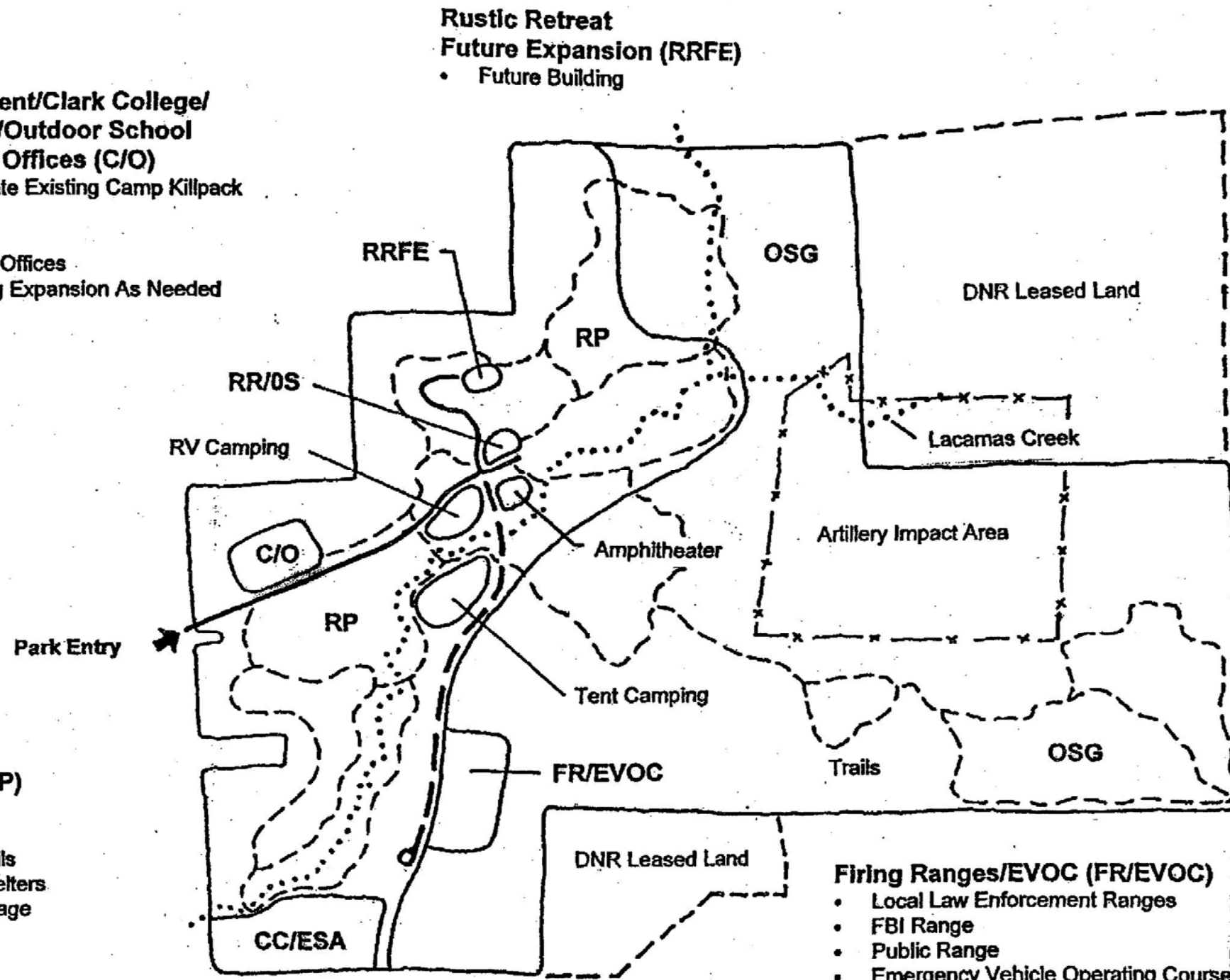
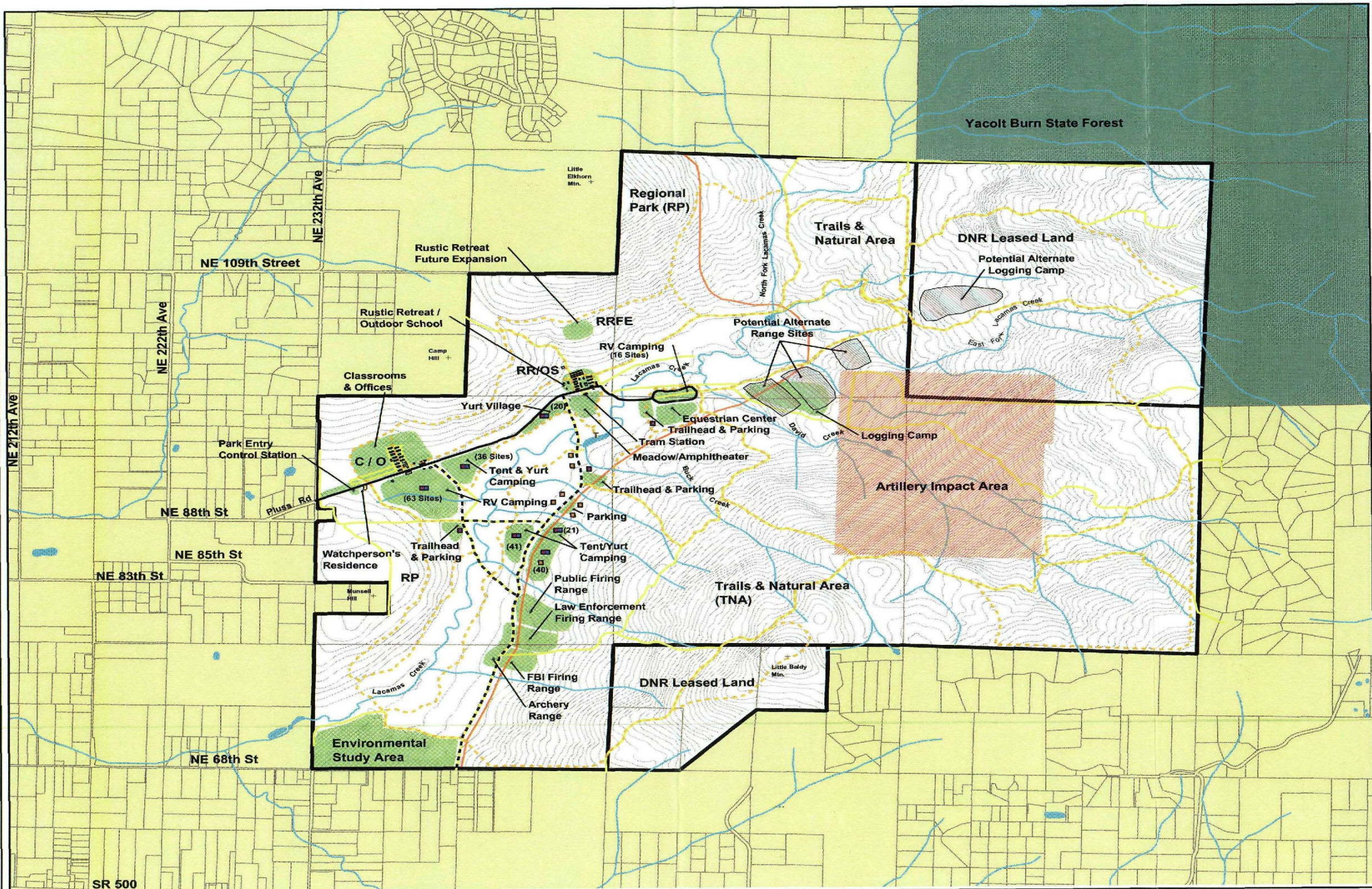


Figure 8
Camp Bonneville
Reuse Planning Committee's Preferred Plan

May 1, 1998

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- Law Enforcement / Clark College / Rustic Retreat / Outdoor School Classrooms and Offices (C / O)**
- * Reuse / Renovate Existing Camp Killpack Buildings for Outdoor School, Retreat Center &/or Law Enforcement Training Center
 - * 3 to 6 Classrooms - New Building
 - * Administrative Offices
 - * Future Expansion As Needed
 - * Law Enforcement Training Areas
- Rustic Retreat / Outdoor School (RR / OS)**
- * Reuse / Renovate Existing Camp Bonneville Buildings
 - * Classrooms
 - * Lodging
 - * Native American Cultural Center
 - * New Multi-Purpose Building and Other Building Expansion As Needed
 - * Park Administration Center
 - * Park Maintenance Headquarters
- Rustic Retreat Future Expansion (RRFE)**
- * Future Building
- Regional Park (RP)**
- * Hiking Trails
 - * Equestrian Trails
 - * Mountain Bike Trails
 - * Picnic Areas & Shelters
 - * Amphitheater & Stage
 - * Restrooms
 - * Tent/Yurt Camping
 - * RV Camping
 - * Park Watchperson's Residence
 - * Archery Range
 - * Park Entry / Control Station (Fee Collection Booth, Information Board, Kiosk & Turn Around)
 - * Park Transit Station & Route
 - * General Store
 - * Equestrian Center
 - * Trailhead & Parking
- Firing Ranges (FR)**
- * Local Law Enforcement Range
 - * FBI Range
 - * Public Range
 - * Restrooms for Shooters
 - * Mine Gravel for Range Site
- Environmental Study Area (ESA)**
- * Outdoor Studies
 - * CPU Well Field
 - * Water Resource Center (Wastewater Treatment Facility)
- Trail and Nature Areas (TNA)**
- * Hiking Trails
 - * Equestrian Trails
 - * Mountain Bike Trails
 - * Wildlife Habitat Area



CLARK COUNTY, WASHINGTON

Camp Bonneville Reuse Plan

Preliminary Site Plan

LEGEND

- Restrooms & Showers
- Restrooms
- Watchperson's Residence
- Water Access
- Site Facilities
- 20 Foot Contour Intervals
- Trails
- Existing Unpaved Roads
- Gravel Road
- Paved Road
- Artillery Impact Area
- Regional Park Boundary
- Site Boundary Line
- Existing Buildings
- Taxlots
- Private Property
- Yacolt Burn State Forest

0 285 570 1,140 1,710 2,280 Feet

LAND AREA SUMMARY:

Camp Bonneville:	3,040 acres
DNR Land Area 'A':	620 acres
DNR Land Area 'B':	180 acres
TOTAL AREA:	3,840 acres

the jd white company, inc.
Creative Problem Solving

Plot Date: 3-17-03
Information Source: Clark County GIS Data Oct. 2002

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Law Enforcement / Clark College / Rustic Retreat / Outdoor School Classrooms and Offices (C / O)

- Reuse / Renovate Existing Camp Killpack Buildings for Outdoor School, Retreat Center &/or Law Enforcement Training Center
- 3 to 6 Classrooms - New Building
- Administrative Offices
- Future Expansion As Needed
- Law Enforcement Training Areas

Rustic Retreat / Outdoor School (RR / OS)

- Reuse / Renovate Existing Camp Bonneville Buildings
- Classrooms
- Lodging
- Native American Cultural Center
- New Multi-Purpose Building and Other Building Expansion As Needed
- Park Administration Center
- Park Maintenance Headquarters

Rustic Retreat Future Expansion (RRFE)

- Future Building

Regional Park (RP)

- Hiking Trails
- Equestrian Trails
- Mountain Bike Trails
- Picnic Areas & Shelters
- Amphitheater & Stage
- Restrooms
- Tent/Yurt Camping
- RV Camping
- Park Watchperson's Residence
- Archery Range
- Park Entry / Control Station (Fee Collection Booth, Information Board, Kiosk & Turn Around)
- Park Transit Station & Route
- General Store
- Equestrian Center
- Trailhead & Parking

Firing Ranges (FR)

- Local Law Enforcement Range
- FBI Range
- Public Range
- Restrooms for Shooters
- Mine Gravel for Range Site

Environmental Study Area (ESA)

- Outdoor Studies
- CPU Well Field
- Water Resource Center (Wastewater Treatment Facility)

Trail and Nature Areas (TNA)

- Hiking Trails
- Equestrian Trails
- Mountain Bike Trails
- Wildlife Habitat Area

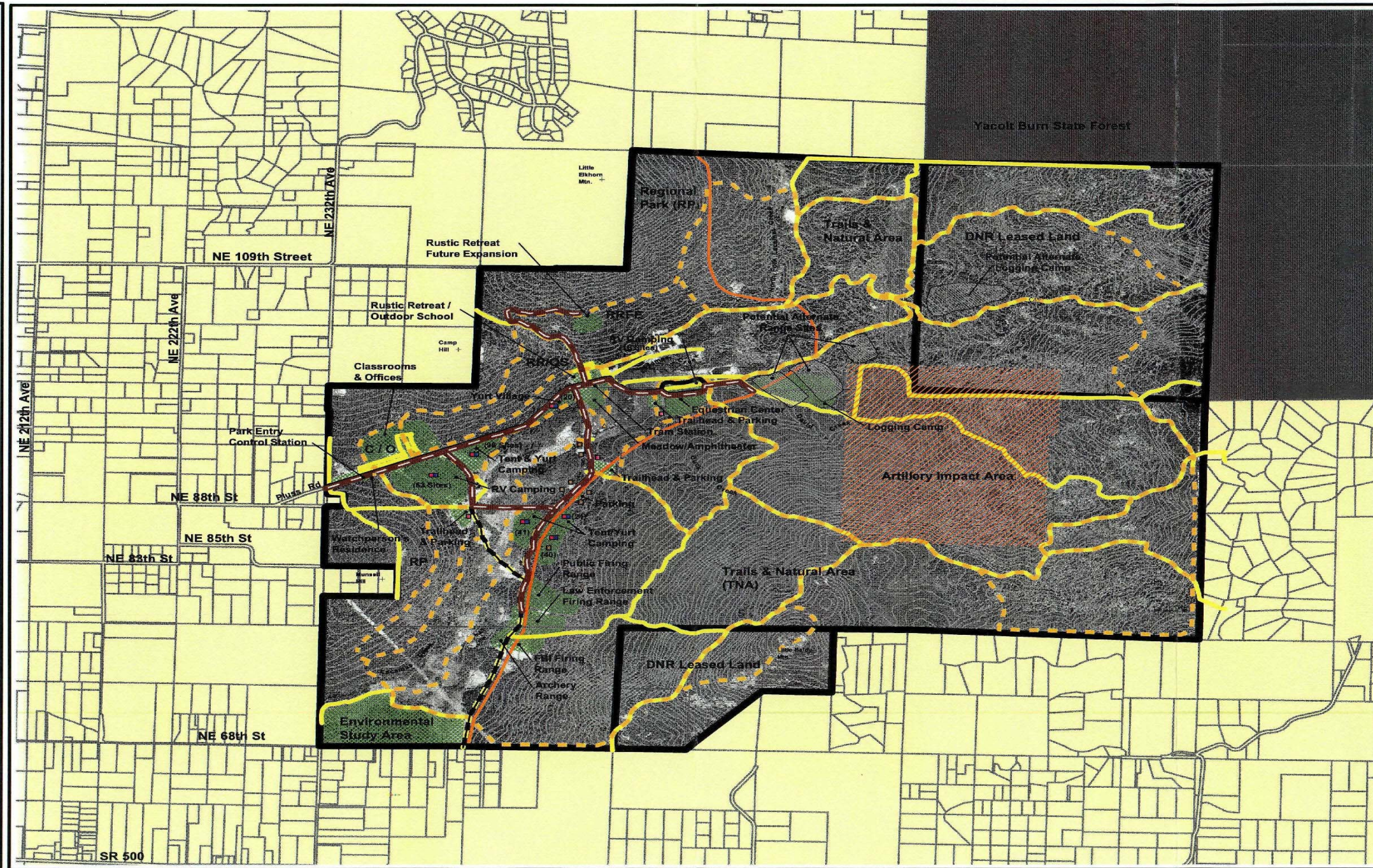


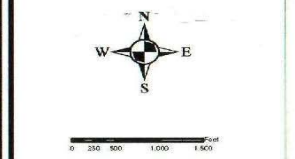
FIGURE 10

Camp Bonneville Reuse Plan

Schematic Utilities Plan

LEGEND

- Utility Corridor
- Restrooms & Showers
- Restrooms
- Watchperson's Residence
- Water Access
- Site Facilities
- 20 Foot Contour Intervals
- Trails
- Existing Unpaved Roads
- Gravel Road
- Paved Road
- Artillery Impact Area
- Regional Park Boundary
- Site Boundary Line
- Existing Buildings
- Taxlots
- Private Property
- Yacolt Burn State Forest



LAND AREA SUMMARY:

Camp Bonneville:	3,040 acres
DNR Land Area 'A':	620 acres
DNR Land Area 'B':	180 acres
TOTAL AREA:	3,840 acres

Plot Date: 3-18-03
Information Source: Clark County GIS Data Oct. 2002

Section 5.0

ECONOMIC DEVELOPMENT OPPORTUNITIES ANALYSIS

5.1 Benefits to the Local Economy

The Portland Metropolitan Statistical Area, including Clark, Clackamas, Multnomah and Washington Counties, has a population of 1,779,200 as of July 1, 1997, which is expected to grow to 2,364,000 within the next two decades. This makes the Portland Metropolitan Statistical Area one of the three fastest growing areas in the nation. Clark County is the fastest growing county in Washington and the Portland metropolitan area. The current population, 320,000, has doubled in the last 25 years. The City of Portland, with a growing population of 495,090, is within 15 miles of the base. Growth management plans for the area are focusing on a much higher density in urban areas.

Because of this increasing growth in population and density of development, there is a corresponding increasing need for parks, open space and recreational opportunities accessible to the urban areas. Camp Bonneville provides a unique opportunity to provide an area with dramatically increasing urban density with needed open space. With increased access to areas for physical exercise local residents and tourists will buy more goods and services such as hiking boots, bicycles, outdoor apparel, etc. Computer models have shown that increases in consumer expenditures on goods and services related to physical activity generated more jobs and higher overall labor income than an equivalent increase in expenditures on general goods and services (Conference Board of Canada, 1991). Also, studies have indicated that quality of life opportunities such as access to natural settings, recreational and cultural opportunities and open space, and rivers, greenways and trails are the main factor in business location (US National Park Service, 1990).

Since the 1970's, Clark County has been interested in the Camp Bonneville site as a future regional park. Growth projections indicate a need for the County to provide an additional 850 acres of regional park in the near future. But due to the many pressing needs and increasingly scarce availability of resources, it would have been difficult to acquire the funds to purchase and maintain park acreage. The closure and transfer of Camp Bonneville has provided a unique opportunity to provide this service to the community.

The population growth is also increasing the need for law enforcement services. The Washington State Criminal Justice Training Commission has requested that agencies coordinate and conduct more localized training due to cuts in the state's training budget. Training areas in Clark County are often substandard or non-existent. However purchase of property for increased law enforcement training competes with other pressing County needs. Through a transfer of property and by partnering with Clark College for use of classroom facilities proposed for construction at the site, a training center can be provided for local law enforcement training. Camp Whythicum, the primary firing range training area for the Portland Metropolitan area, has been recently closed due to its proximity to residences, which have grown around the range. Because of the shortage of open space easily accessible to the urban areas, law enforcement agencies are concerned about the feasibility of finding areas within reasonable proximity to

Camp Bonneville Reuse Plan

develop firing ranges. Although the County Sheriff's Office currently has a firing range, it is located in an area that also is expected in the next ten years to become more highly developed, increasing the chances of future closure. Firing ranges are proposed at Camp Bonneville in areas that have been historically used for this purpose, and can be located at a distance that minimizes noise to neighbors and park users, with safety features such as baffling required to ensure compatibility.

5.2 Target Use Analysis

The purpose of this section is to evaluate specific reuses, which possess revenue potential at Camp Bonneville. This analysis examines several reuses, which are most likely to provide significant community benefits and to generate revenues adequate to cover the costs of development and operation of the entire reuse development.

5.2.1 Timber Management

Planning principles for the Camp Bonneville reuse planning process delineate that "there will be no clear cuts except where required for site development and environmental management purposes." As Camp Bonneville timber has not been actively managed since 1981, timber throughout the property has become too dense for the health of the forest. Timber revenues will be used to leverage matching grants that together will provide the ongoing revenues needed for both capital and operational costs.

A Timber Inventory Estimate and Valuation Report, dated November 12, 1997, was prepared for Camp Bonneville (see Appendix B) as part of the data collection and economic analysis process. This report documents the conditions of existing timber stands and estimates the value and revenue potential of harvesting the marketable timber at Camp Bonneville through selective thinning.

This report estimates that timber thinning will yield only enough revenue to adequately support a basic level of park services in the foreseeable future.

A more detailed evaluation is planned to allow LRA prioritization of parcels for cleanup and transfer to ensure the financial viability of the reuse plan.

5.2.2 Rustic Retreat Center/Outdoor School

A rustic retreat center must be simple in nature and provide service primarily to the general public to meet park conveyance requirements.

Expected usage:

Based on an inventory of six conference/retreat centers in Washington and Oregon, a new conference/retreat center (with indoor plumbing in each building and a multi-purpose gathering space) at Camp Bonneville would be expected to attract from 83 to 102 person days per bed assuming a capacity of 80 beds. (A 'person day' is the conference industry's standard method of determining a center's usage and defined as three meals and one night accommodation for

Camp Bonneville Reuse Plan

overnight guests or three meals for day users.) It is also expected that 50% to 70% of the center's total business would be overnight users.

An alternate for of conference/retreat center which utilizes the barracks at Camp Bonneville and Camp Killpack, i.e. bathroom facilities in a remote building and no flexible multi-purpose gathering center is thought to be viable by certain advocates. The existing retreat center/ outdoor schools most relevant to Camp Bonneville in terms of location and service to local school districts are Camp Wa-Ri-Ki and Camp Melacoma, located north of Washougal. These existing camps operate for approximately 8 to 10 months a year. They are nearly 100% utilized from April through August, but during the rest of the year are used mostly on weekends. Based on Camp Wa-Ri-Ki and Camp Melacoma, we expect 12,000 to 17,000 person visits annually to Camp Bonneville if similar facilities and amenities were provided.

Three outdoor schools in Washington and three in Oregon were surveyed and the amount of usage varied considerably. The superintendents from the Clark County school districts have expressed support for future use of Camp Bonneville barracks for outdoor school. It is anticipated that during outdoor school season (April, May, September, October), barracks that are brought up to safety code (buildings have lead based paint) would be utilized to capacity. Overnight use by children will need to be further evaluated to determine whether abatement will be required. The rate charged would be the rate comparable to that charged at the other outdoor school facilities, which are run by non-profit agencies and do not require the extensive capital improvements that are essential at Camp Bonneville. If local school districts use Camp Bonneville for outdoor school, their transportation costs would be reduced from current levels.

The estimated cost to improve Camp Bonneville to a minimal level required to meet code requirements for outdoor school usage is \$486,000 plus an allowance of \$190,000 for septic system upgrades). The estimated cost to do the same at Camp Killpack is approximately \$313,000 plus an allowance of \$190,000 for a septic system upgrades.

Fee Revenue Potential:

The economic evaluation of the use of the barracks for outdoor school and rustic retreat center assumes that a concessionaire will be found to make extensive capital improvements and operate the retreat center facility.

Based on comparable facilities, day user fees for a conference/retreat center at Camp Bonneville are expected to range from \$29 to \$44 per person and overnight users fees from \$53 to \$74 per person.

An outdoor school at Camp Bonneville should be able to charge from \$6 to \$10 per person per day, similar to fees charged by Camp Wa-Ri-Ki and Camp Melacoma.

Operating Costs/Net Operating Income:

Operating costs for a conference/retreat center at Camp Bonneville are expected to range from 85% to 95% of total revenue, based on a survey of 45 conference centers in 20 states. Operating

Camp Bonneville Reuse Plan

costs do not include debt service for capital improvements. After operating expenses, a conference center at Camp Bonneville is expected to have a net operating income of 5% to 15% of total revenue.

According to the director of Camp Melacoma, operating costs usually exceed total revenues in outdoor schools. On this basis, it is expected that an outdoor school at Camp Bonneville would operate at a net deficit. The same net loss is expected for an outdoor school at Camp Killpack but to a smaller degree because it is in better physical condition than Camp Bonneville.

Grants & Volunteer Assistance:

It may become necessary to explore grants, corporate sponsorships, and volunteer assistance, which may be necessary to reduce costs and attract interest by a concessionaire.

5.2.3 Law Enforcement Training Center (LETC)

Expected usage: Classroom facilities shared with Clark College in a new facility to be built, firing ranges, and training areas. If Clark College is unable to attain funds for this construction, and/or if zoning changes are not approved to allow new facility construction, the Sheriff's Office may renovate up to six buildings in the Camp Killpack cantonment area. An equestrian riding ring would be provided in the general vicinity of Camp Killpack, which will be open to the general public when not required for law enforcement training. A physical fitness course and canine training area would also be provided in this area. The canine training area would also be used for training of search and rescue dogs. Firing ranges will include one handgun range, one rifle range, and an area provided for future construction of an indoor firing range (which may be shared with the public). Adjacent to the ranges will be a shooting house, a building which provides law enforcement officers with opportunities to practice making decisions whether or not to fire. Firing ranges will be constructed as needed. Some of the firing range areas identified on the reuse plan are ranges that will be constructed if and when the present off-site firing ranges are closed due to increased development in their areas, or if these firing ranges no longer meet the needs of law enforcement and the public. Some range facilities, however, such as the shooting house and law enforcement rifle range, may be constructed soon after property transfer.

Fee Revenue Potential: For purposes of this study, the LETC is assumed to be a concession which leases land and facilities from the LRA. As such, fee revenue for this use is assumed to go directly to the LETC concession entity. Estimates vary as to the amount of fee income which could be generated by this use. The financial modeling in this report takes the conservative position that the LRA receives no fee income.

Operating Costs/Net Operating Income: Financial modeling of this use assumes a nominal lease in the amount of \$25,000 per year from the LETC concession.

5.2.4 Public Firing Ranges

Expected usage: Although the current shooting ranges in the area meet market demand for the area, it is expected that as the area continues to grow, there is a strong possibility that these

Camp Bonneville Reuse Plan

ranges are at risk for closure in the future. To meet the future needs of the general public, an area has been identified at Camp Bonneville for public firing ranges.

Fee Revenue Potential: This use is assumed to be a concession to a non-profit entity who would be responsible for initial and operating costs and would collect all fees.

Operating Costs/Net Operating Income: A nominal lease amount of \$6,250 per year is assumed for this use.

5.2.5 Regional Park

Expected usage: Due to the amount and cost of infrastructure that will be needed to develop a regional park, the financial analysis has focused on the costs for an initial “starter park.” As infrastructure is developed, certain areas of the park will be developed and made accessible to the public. As timber revenue is obtained and matching grants are received each year, additional development will take place until the area reaches the standards of the other regional parks in the County. Initially, it is expected that picnic areas and campsites will be provided in the Camp Bonneville cantonment area, with trails throughout areas that are identified as “clean” and as safety measures are in place to ensure that areas that are not clean will not be accessible to the public.

Fee Revenue Potential: It is anticipated the regional park will charge parking fees in line with other regional parks in the area.

Operating Costs/Net Operating Income: Current financial modeling indicates that annual operating and maintenance costs to be approximately \$367,000. Projected revenues from park user fees and timber management are anticipated to be cover park operations

5.2.6 Volunteer Labor

Volunteer labor is most appropriate for non-construction activities because of liability concerns by most public agencies. Therefore, it is anticipated that volunteer efforts would be in the areas of fund raising and generating sponsors for capital improvements rather than in undertaking the improvements themselves.

5.2.7 Demolition

Although it is anticipated that users/sponsors will be found for the Camp Killpack and Camp Bonneville cantonments it may, as a last resort, be necessary to demolish all or some of these facilities if meaningful reuses cannot be achieved. The cost to demolish the Camp Bonneville cantonment is estimated to be approximately \$181,000. The cost to demolish the Camp Killpack cantonment is estimated to be approximately \$189,000. The cost to relocate buildings at either camp is estimated to exceed the value of the buildings themselves.

5.3 Economic Development – Jobs Creation

This reuse plan envisions many distinct but inter-related activities. As a direct result of these activities four categories of job creation will result:

I. Direct employment at the Camp Bonneville Regional Park site

Camp Bonneville Reuse Plan

- II. Direct employment via the capital development of the site, predominately construction trades
- III. Immediate vicinity secondary development enabled through increase of parks land to developed property ratio
- IV. Indirect impact to community businesses resulting form visitors and tourists to the park.

Collectively, the anticipated job creation will be on the order of **28** Full time Equivalents (FTE's). Breakdown of that job creation is envisioned as follows:

I. Direct employment at the Camp Bonneville site

	<u>FTE Creation</u>
1) Timber Management	
a) General Operations	3.0
2) Rustic Retreat Center/Outdoor School	2.0
3) Public Firing Ranges	
a) General Management	1.0
4) Regional Park	
a) Overall Site Management/ Security	
i) General Manager	1.0
ii) Watchpersons	3.0
iii) Utility Maintenance Manager	1.0
iv) Maintenance Workers	4.0
b) RV Campground	2.0
c) Tent Campground	2.0
d) Equestrian Center	4.0
e) Tram Operations	2.0
5) General Store/Cafeteria	
a) Misc. Operations	<u>3.0</u>
Total	28.0

II. Direct employment via the capital development of the site

We have used a computer program (“MGM2 Operating Expense Impacts”, developed at Michigan State University) which models Park Revenue based on projected operations. Using the program for this proposed reuse of Camp Bonneville yields an overall snapshot of the impact of park development.

Full development of the site is planned to occur over an estimated 20 years, depending on financial resource availability. In general, annual Capital Development on the order of \$500,000 is practical. This annual construction expenditure will provide employment predominately in the high wage construction trades. Subtracting out the Park employment mentioned in item I above, the net result of “secondary” job creation is **24** FTE's

III. Immediate vicinity secondary development

At present, Clark County Washington is partially constrained from development of the rural area due to an imbalance in the Parks land to Developed land ratio. Development of this site as the

Camp Bonneville Reuse Plan

proposed Regional Park will have a significant impact on that ratio and subsequently allow further development of the rural Clark County area. While it is difficult to identify a number at this stage, Clark County is well known for its' quality of life, affordable housing and stable economy. Through development of the reuse activities at Camp Bonneville, the probability exists for generous job creation resulting from rural development in the surrounding area.

IV. Indirect impact to community businesses resulting from visitors and tourists.

The planned reuse activities will have the potential as a regional magnet for tourism as well as visitors and students associated with the outdoor school and law enforcement training center. Detailed estimates of indirect economic impacts on the local community are beyond the scope of this report. However, based upon U.S. Department of Commerce, Bureau of Economic Analysis, regional economic multipliers for the Portland-Vancouver Metropolitan Region, indirect job creation for service sector employment is typically 1.4 to 1.7 times direct job creation. While difficult to quantify at this stage, it is reasonable to assume a positive community impact on the order of 57 to 65 direct and indirect jobs will be sustained as a result from this reuse plan.

Section 6.0

IMPLEMENTATION

6.1 Preliminary Financial Analysis

The consulting project team conducted a preliminary financial analysis of the preferred Camp Bonneville Reuse Plan. The financial analysis is based on market, financial and cost information that was compiled during the planning process, and is referenced in the plan Appendix document. A Camp Bonneville Reuse Plan Finance Subcommittee served as the technical advisor in formulating development program and cost assumptions.

The Reuse Plan for Camp Bonneville includes a balance of public recreational, educational and law enforcement activities. The key revenue generating element of the Reuse Plan is a program of moderate sustainable Timber Management. The revenue from Timber Management would fund up-front site infrastructure costs for roads and utilities, and could offset site carrying costs and future regional park operations.

The key development components of the site include:

- Regional Park;
- Rustic Retreat/Outdoor School;
- Clark Community College;
- Law Enforcement Training Center (with potential future seasonal public firing range).

Other future uses for the site may include expanded recreational trails and park facilities.

The preliminary financial analysis evaluated the capital and operating cost of the site reuse elements. Because construction of specific project elements (e.g., regional park, law enforcement training center, etc.) will depend on available funding agreements, a preliminary project sequencing strategy was defined. Each of six project sequences was evaluated for its independent ability to break-even. Once all site reuse components are built, Camp Bonneville must be able to break-even or produce a positive net cash flow to the County.

As indicted in *Table S-1 (Appendix F)*, based on the current revenue and cost assumptions, the combined site reuse components are anticipated to produce a modest positive net income stream at build-out prior to redemption of local bond issues.

Camp Bonneville Reuse Plan

Managing county financial risk is critically important during the land conveyance negotiation process. It will be necessary to get assurance from the Army that timber parcels prioritized by the LRA as critical for the viability of the reuse plan will be transferred to the county with the cantonment areas. Potential funding shortfalls during any given year can be mitigated through proper planning of reuse elements and allocation of timber reserves to a special fund for Camp Bonneville management and improvements.

The Reuse Plan for Camp Bonneville not only minimizes county risk, but also is designed to appeal to a broad array of public interests, and a variety of recreational users. The plan, while designating areas for specific development concepts, provides flexibility in how the county can phase development in a manner that is consistent with available funding, and with final designs that are sensitive to environmental features and adjacent land uses.

Additional detailed information on the financial analysis for Camp Bonneville is included in the Appendix document.

6.2 Acquisition Alternatives for Camp Bonneville

There are a number of ways for a community to acquire surplus base property. At Camp Bonneville, all transfer options will be through conveyances. Available methods considered for the Camp Bonneville property acquisition include the following:

6.2.1 Parks Conveyance

The Federal Lands-to-Parks Program assists public agencies to acquire surplus Federal land for public park and recreation use. The Federal Lands-to-Parks Program is authorized by the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 484, 203(k)(2)]. This land is transferred to a public agency at no cost with the condition that it be used for parks and recreation in perpetuity. The program has two goals:

1. Provide opportunities for the public to participate in a variety of recreation activities, such as hiking, biking, camping, picnicking, cross-country skiing, snowmobiling, horseback riding, swimming, boating, and playing organized sports
2. Protect and provide access to natural resource areas, including lakes, forests, rangeland, wetlands, open space, and beaches.

National Parks Service staff have visited Camp Bonneville and are aware of the various reuse at the site. Once Federal property has been conveyed, the National Parks Service is responsible for monitoring the use of the land to ensure it is managed according to the terms and conditions of the transfer. The monitoring component of the program ensures public access for recreational use and the continued protection of the natural and cultural resources located on the property. Because of serious concerns by the LRA and the National Parks Service, the FBI firing range area must be leased through the County rather than transferred to the FBI.

The LRA would also need to request sponsorship by the National Parks Service of public and law enforcement firing range areas. To promote park and trail usage, firing ranges will be open

Camp Bonneville Reuse Plan

only six months each year during non-peak park usage months, with no usage on weekends year-round, resulting in firing ranges being open only 35% of the year. During times of firing range closure, a large area of trail and wetland education areas will be more inviting due to elimination of gunfire noise. Firing ranges will also only be constructed as they are needed by both law enforcement and the public. Some of the firing ranges are planned for Camp Bonneville because of expectations that the firing ranges currently operating off-site may be forced to close in the future due to continued development in the adjacent areas. Until (and if) those closures occur, some of the areas designated for firing range use will remain natural areas, with sponsorship by the National Parks Service necessary.

6.2.2 Educational Conveyance

Public Benefit Transfers of surplus Federal real property are made pursuant to provisions of the Federal Property and Administrative Services Act of 1949 (P.L. 81-152), as amended, [40 U.S.C. 484(k)(1)]. The Act gives authority to the Secretary of Education to sell or lease such property at a price, which takes into account the public benefit, which will accrue, to the United States because of eligible educational use.

The sale price of a property is its fair market value at the time of transfer. The actual amount of cash payment required of a successful applicant is determined by applying a public benefit discount allowance against the sale price. Discounts for “on-site” educational transfers range from 40% to 100%, but typically made at a full 100 percent public benefit. The total public benefit allowance accorded a transfer will vary depending upon the educational use proposed and the degree of need.

All public benefit transfers for educational uses are subject to certain terms and conditions which remain in effect for a specified number of years. For on-site properties the usual Restriction Period is 30 years.

During the Restriction Period:

1. The property must be used continuously for the approved educational purpose(s), either as originally approved in the application to acquire the property, or as may be later approved in an amendment to the approved utilization plan.
2. The property cannot be sold, leased, rented, mortgaged, encumbered or disposed of, in any way, without the prior written consent of the Government. (The recipient can, however, “buy out” the remaining unused value of the conveyed property.)
3. The educational recipient (Transferee) must file a brief annual utilization report and certification of compliance with the Department of Education (usually 2 pages or less).
4. The Transferee must remain tax supported or nonprofit and tax exempt as was required at the time of transfer.
5. The Transferee must comply with the usual statutory requirements regarding

Camp Bonneville Reuse Plan

nondiscrimination.

Although they have not visited Camp Bonneville, Department of Education staff have been regularly informed of the proposed reuse areas at Camp Bonneville that may be sponsored as an education public benefit conveyance. The Department of Education sponsorship may be requested for the Clark County law enforcement/Clark College environmental education classroom building.

6.2.3 Public Safety Conveyance

The LRA will also explore the option of sponsorship of law enforcement training areas through a General Services Administration public safety public benefit conveyance approved by the Department of Justice. Rules regarding this transfer are now being drafted and will be reviewed by the LRA when they are made available. Property transfer authority for Justice Department transfer authority will terminate on December 31, 1999. Unless this authority is extended, the LRA will need to apply for sponsorship in the very near future if this sponsorship is needed.

6.2.4 Special Legislation

Ideally Camp Bonneville would be conveyed as a single event.

There are three reuse options that may require special transfer consideration by the General Services Administration (GSA), with the alternative being special legislation a backup consideration should difficulties arise in their transfer.

The first is the law enforcement firing range area. The LRA will be requesting a sponsorship of these range areas through a PBC sponsored by the National Parks Service. The firing range usage has been limited to a maximum 35% of the year to open more areas for trail usage throughout the site and provide a quieter environment for park users. Firing ranges will also only be constructed as needed, remaining natural open space areas until (and if) firing ranges are constructed. An NPS sponsorship also provides the community with flexibility to close the ranges or further limit their usage days and hours due to any effects of noise on park usage and viability.

The second area of concern is the Camp Killpack barracks buildings. The plan for these buildings is for a rustic retreat center and outdoor school usage, with sponsorship by the NPS. If, however, the proposed new building for Clark College and law enforcement training fails to be rezoned for this usage, law enforcement has requested that up to six of the Camp Killpack barracks buildings be used for law enforcement training. This would require a change in sponsorship to an education or law enforcement sponsorship, which is not currently the usual practice in federal land conveyance.

A third area of concern is the zoning restrictions for the proposed Clark County law enforcement/Clark College classroom facility. While a zoning change may allow construction of the building, there is a risk that the zoning restricting parcel size to 40 acre minimums may not change. The 40 acres surrounding the classroom building are critical park usage areas.

Camp Bonneville Reuse Plan

6.2.5 Conservation Conveyance

Under 10 U.S.C. 2694a, the Secretary of the Army is authorized to transfer BRAC bases at no cost, provided that the property is used for natural resource conservation. As discussed in section 5, this reuse plan will contribute significantly to the open space conservation for the surrounding area of Camp Bonneville. A Conservation Conveyance would transfer the site under a single conveyance and does not require third party sponsorship.

6.2.6 Acquisition Strategy Summary

As of November 2005, the LRA's preferred conveyance mechanism is the Conservation Conveyance. This type of conveyance is commensurate with the proposed reuse activities and resultant open space designation. The open space creation is consistent with the Rural setting of Camp Bonneville.

It is recommended that the entire property be transferred to Clark County to ensure a holistic management of the site. The LRA will seek a Conservation Conveyance for the acreage at Camp Bonneville. Acreage allows for extensive parks and open space, including an outdoor area used for law enforcement training (shared with the public) and an area to be possibly leased on a long term basis to the FBI for its firing range. This transfer will be in perpetuity. Leased areas can be approved for individual users, such as the FBI, but subject to the agreed upon terms and conditions between the County and its tenants.

The LRA will provide the Army with an update to the reuse plan which will refine the location of the reuse activities that are critical to ensure the viability of the reuse plan. Although there are some areas where reuses must be located for various reasons (such as firing ranges because of location for noise and safety), the LRA is willing to work with the Army to find comparable reuse locations for reuses that are found to be located in areas heavily contaminated with UXO, or in areas that are found to be wetlands, significant riparian areas, have cultural significance, or have endangered/threatened species. The LRA also will strive to identify timber parcels that are in need of thinning and whose revenues are essential for funding necessary infrastructure, operations, and for matching grants.

The LRA will also continue to evaluate liability issues to ensure that the County is indemnified for damages that are incurred in areas that have been transferred, have been identified as clean, and where the County/LRA has not violated any institutional controls agreed upon prior to transfer. (Example: If deed restrictions allow usage, but restrict digging to a three foot level, and an injury occurs from a surface UXO missed in the cleanup process, the County would need assurance of indemnification.) Before agreeing to accept transfer of property, the County will evaluate factors such as the risks associated with acceptance of the various parcels, the timeline for cleanup and transfer, the restrictions/institutional controls placed on property usage, and the Army's security measures for property awaiting cleanup. It is expected that the Army will at a minimum conduct a surface sweep and cleanup of all properties transferred, unless an Early Transfer is conducted*. The County is not interested in accepting transfer of property known to be contaminated with UXO, and expects the Army to provide adequate security to prevent public access to these sites*.

Camp Bonneville Reuse Plan

** The early transfer process delineates the identification of contaminated property in the transfer documents*

6.3 Permanent Implementation/Management Organization

At the conclusion of the base reuse planning phase, the local redevelopment authorities (such as the Camp Bonneville Local Redevelopment Authority) created for planning the base reuse inevitably transition into permanent property management and development “implementation LRA.” This organizational transition from a planning LRA to an implementation LRA is a normal step in the military base reuse process.

In the case of the Camp Bonneville property, the Board of Clark County Commissioners should become the implementation local redevelopment authority and should take permanent title to the base property. The Vancouver-Clark Parks & Recreation Advisory Committee will provide oversight to the site management of all planned reuses. A public advisory body, meeting quarterly, should be created among the several Camp Bonneville users and neighbors as well as the adjoining educational entities, to provide the Vancouver-Clark Parks & Recreation Advisory Committee input on the long-term management of the site.

Section 7.0

OTHER ISSUES

7.1 Future Modifications of the Reuse Plan

There are a number of factors, which could impact this Reuse Plan and create the need to modify this plan at a future time:

7.1.1 UXO

It was initially expected that UXO sampling information would be available to the LRA prior to reuse plan preparation. Completion of the UXO sampling report has been delayed until late August, 1998. The EE/CA report, due in January 1999, will also be an essential planning tool. Based on the archive search, the LRA has made assumptions on locations of reuse activities. The archive search addendum has also not yet been completed; the initial search was incomplete because it did not include interviews with neighbors and others familiar with the history of Camp Bonneville. The LRA has significantly limited development (which lowers cleanup costs) and will work with the Army to, wherever possible, relocate developments which have been planned in any areas that are found to be more contaminated than originally anticipated. UXO information will also be essential in determining which parcels will be accepted by the County for transfer.

7.1.2 Endangered and Threatened Species

Access to the site by U.S. Fish and Wildlife, State Fish and Wildlife, and the Clark County biologist has been limited by the incomplete UXO sampling process. When these agencies gain access to the site and present their findings with regard to endangered and/or threatened species, the Reuse Plan may need to respond.

7.1.3 New Salmon and Trout Regulations

It is possible that new federal regulations regarding protection of sensitive lands associated with salmon and trout habitat will impact the Camp Bonneville site. If and when this occurs, the Reuse Plan may need to be modified to respect these constraints.

7.1.4 Wetlands and Riparian Areas

When access is allowed to the site, delineation of wetland and riparian areas may require changes to the location of some uses in the Reuse Plan. This plan is currently based on locally available maps indicating, without detailed specificity, the location of wetland zones.

7.1.5 Archaeological Findings

Approximately 700 acres at Camp Bonneville have been identified in a March 1998 site map (**Figure 10**) for cultural/archaeological evaluation. These studies are tentatively planned for 2000-2001 (a timeline the Army has expressed support in accelerating), assuming these areas will be identified as "clean" for UXO. These areas coincidentally are areas identified as areas of relatively high public use and access. If these studies uncover significant archeological findings, it is likely that the Reuse Plan may need to be modified.

Camp Bonneville Reuse Plan

7.1.6 *Transfer Restrictions*

It is possible that deed restrictions or other institutional controls may be attached to the transfer of property to the LRA. In that event, the LRA will need to evaluate the institutional controls to ensure that the proposed reuses and transfer of the property remain viable.

7.1.7 *Zoning*

At least two components of the Reuse Plan are expected to require a zone change prior to development: the Clark College facility and RV camping. If the rezoning process involves additional constraints, the plan may need to be updated in response. If rezoning is not approved, areas identified for a Clark College facility, as well as some of the Camp Killpack barracks buildings, may require a change in federal agency sponsorship.

7.1.8 *Timber Harvesting Restrictions*

Any restrictions disallowing timber harvesting will prompt reconsideration of the reuse plan. Revenue from timber thinning is critical to the success of the reuse plan. The cleanup time line and subsequent transfer of properties will also affect timber revenue (and infrastructure financing). An EECA is at this time is scheduled to be completed by January 1999.

7.1.9 *Sewage System*

Following review of the draft operations manual, site survey and remediation study (to be completed later this year), and discussions with DOE, the Reuse Plan may need to be modified.

7.1.10 *Lead Contamination*

Tests were requested two years ago on lead levels in water entering and leaving Camp Bonneville. Those results are expected the fall of '98. If lead levels are at an unacceptable level, the LRA will need to reconsider liability and environmental factors which could result in elimination of firing ranges in its reuse plan.

7.1.11 *Liability Issues*

At this time it is unclear whether the County will be liable (when abiding by the deed restrictions) for damages from UXO on the transferred property. The LRA hopes that UXO will be identified in CERCLA 330 (h)(c) as being covered in providing the County indemnification upon transfer. Availability and cost for insurance for UXO risk will be assessed after the UXO report is issued to determine the County's risk in accepting transferred property.

7.1.12 *Other Environmental Contamination*

The Army Corps of Engineers is continuing its evaluation of various areas at Camp Bonneville such as landfills, burn areas, maintenance sheds, etc. While no unremediable, serious contamination has yet been identified, there remains the possibility that contamination may be found which could warrant changes in locations of proposed reuses.

7.2 *Safety*

Due to concern for public safety, Senator Patty Murray sponsored legislation which required the Army to provide the community with information by November 1997 on the extent and risks of

Camp Bonneville Reuse Plan

UXO at the site. Much of the border of Camp Bonneville is unfenced. Because of permission granted to the public for use of the site for hunting, outdoor school trails, picnics, and equestrian usage, many in the community are skeptical of UXO risk. Trespassers are frequent at the site. Since UXO sampling has begun, security at the site has been increased, however this security is tied directly with cleanup efforts and may not extend into the future. Based on the UXO found on the surface of the sample grids, the local community remains concerned and believes that the Army should continue to provide adequate security for all military-owned properties at Camp Bonneville.

7.3 Fire

Fire inspection of all structures by the Army needs to be conducted on a regular basis. Roads have been deteriorating due to reduction of maintenance funding for vegetation spraying, increasing erosion and reducing accessibility throughout the site in the event of a fire. Since the Camp Bonneville area is part of the Yacolt Burn area (and two additional major burns), and due to the recent extensive residential development in the Camp Bonneville vicinity, access roads for fire suppression are critical for health and human safety.

7.4 Site Maintenance

Buildings are deteriorating, and roads/trails are becoming overgrown or eroded due to reductions in Army maintenance levels.

Michael Baker Jr., Inc.



Conservation Conveyance: An Important Tool for BRAC 2005

Presented to:

2006 Environmental Training Symposium

Presented by:

Mark J. Knight, CHMM
Assistant Vice President

March 20, 2006

2006
JSEM

Joint Services Environmental Management
Conference & Exposition

Baker

ChallengeUs.

❖ ***As the manager of large tracts of land across the United States, the military has:***

- **Control of a variety of unique and rare habitats**
- **Responsibility for a number of endangered species**
- **Control a numerous historic and cultural resources**
- **Become the environmental steward for these resources**

❖ ***These unique resources may:***

- **Impede installation re-use**
- **Are located at closed facilities not well suited for economic re-development**

❖ *Conservation Conveyance*

- Legislation passed in 2002 enabled a new “tool” to transfer of surplus military lands directly to Not-for-Profit (NFP) organizations for natural, cultural and historic resource conservation purposes.

❖ *Presentation will review:*

- Enabling legislation
- Status of ongoing Conservation Conveyance transfers
- Advantages of early transfer of natural, cultural or historic resources to the economic redevelopment of a BRAC 2005 installation
- Example BRAC 2005 installation where Conservation Conveyance early transfers may be possible
- Conservation Conveyance as a component of an installation reuse plan

❖ **Public Law 107-314**

- **Bob Stump National Defense Authorization Act of FY2003**
- **Act Signed December 2, 2002**

❖ **Section 2812**

- **Conveyance of Surplus Property for Natural Resource Conservation Purposes**
- **Modifies *10 USC 159.2694* by inserting a new section “a”**

- ❖ Enabled at 10 USC 159.2694a - *Conveyance of surplus real property for natural resource conservation*
 - **Authorizes Secretary of a military department to transfer surplus property to eligible Not-for-Profits (NFPs) when property is:**
 - *Under Administrative control of the Secretary*
 - *Suitable and desirable for conservation*
 - *Had been available for public benefit transfer*
 - *Not subject to a pending request for transfer to another federal agency*

➤ Eligible NFPs Organizations

- *Exist for the primary purpose of conservation of natural resources on real property*
- *Whose primary purpose is conservation of natural resources on real property*

➤ *NFPs limited to “incidental revenue-producing activities on the property...compatible with ...conservation purposes”*



Status of Ongoing CC Transfers



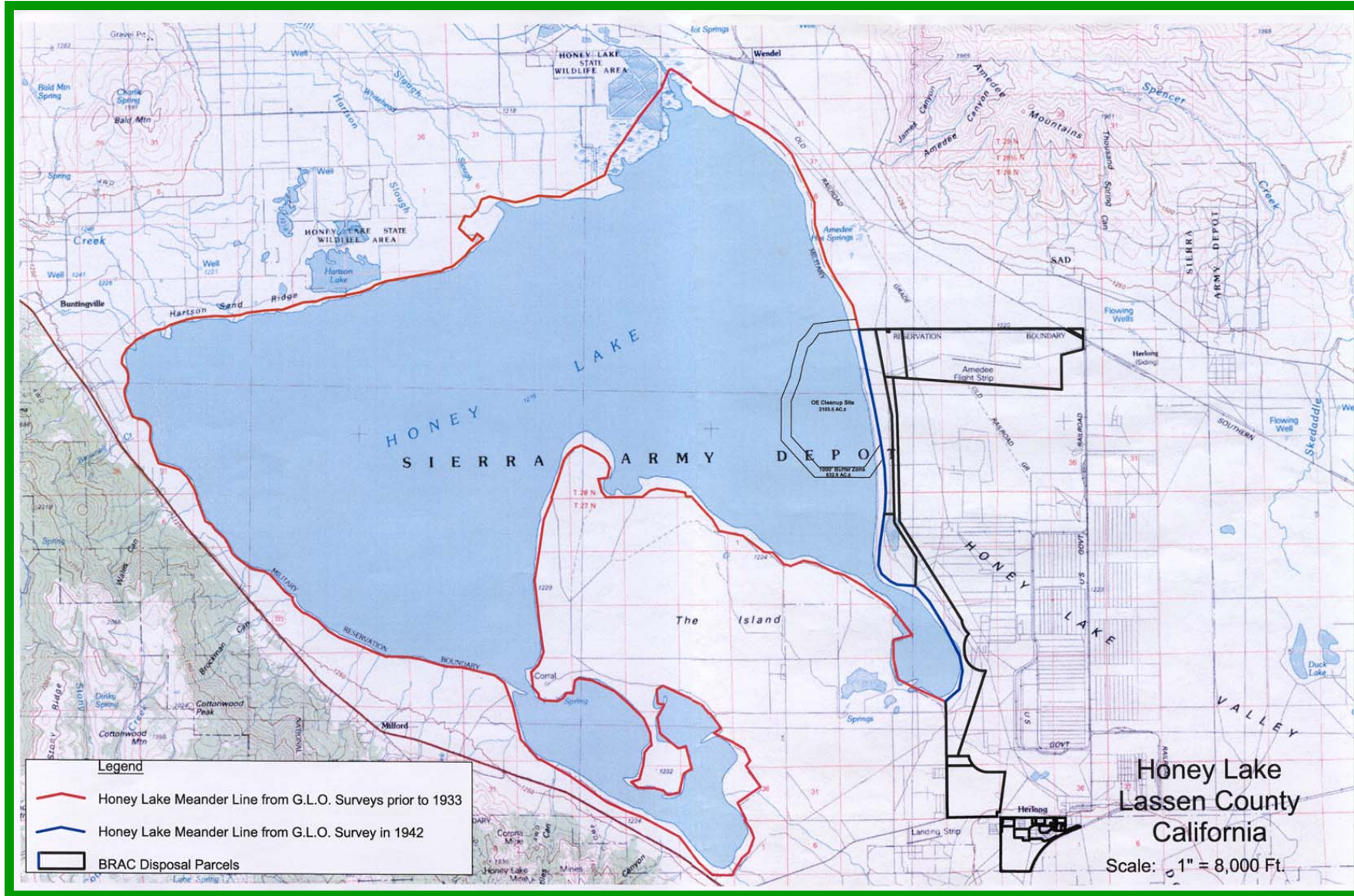
❖ ***Honey Lake Parcel***

➤ **Herlong, California**

❖ ***Camp Bonneville***

➤ **Clark County, California**

Honey Lake, California



Honey Lake, California

- ❖ *Adjacent to Sierra Army Depot – Herlong, CA*
- ❖ *Intermittent Alkaline High Desert Lake*
- ❖ *Home to 348 species of birds, mammals and reptiles*
- ❖ *One endangered butterfly species on-site*
- ❖ *Over 167 sites identified with historic and cultural significance*



- ❖ *The nation's FIRST Conservation Conveyance*
- ❖ *Honey Lake Conservation Team (HLCT) consists of two NFPs, Baker and a small WBE*
 - **Baker is the project manager**
- ❖ *Selected from three proposing teams to negotiate transfer*

❖ *132 Days From Selection to Transfer*

- **DOD's First Conservation Conveyance**

❖ *Negotiations.....*

- **US Army, USACE**
- **California State Lands Commission (SLC)**
- **USFWS**
- **SHPO**
- **DTSC**
- **RWQCB/SWB (Discussions)**
- **Lassen County**
- **Local Residents**
- **HLCT**

❖ *Conveyance Agreement*

- **Completely New Transfer Agreement**
- **Established New Concept of Diminution in Value**
- **Honey Lake Team Accepted All Army Liabilities Known and Unknown for the Parcel, Except CERCLA**
- **All Team Members Accepted Certain Obligations Related to the Property**

❖ *Deed transfer of Primary Parcel*

❖ *LIFO of OE Parcel*

❖ *California holds reversionary right to Property*

❖ 62,000 acres in two parcels

➤ Primary Parcel - 57,632 acres

- Limited impact from Army ownership
- Endangered Carson Wandering Skipper present

➤ OE Parcel – 4,368 acres

- Impact from open detonation of surplus munitions
- Army completed surface removal of scrap in 2003
- Subsurface investigation of test pits in impacted areas completed – EE/CA draft soon



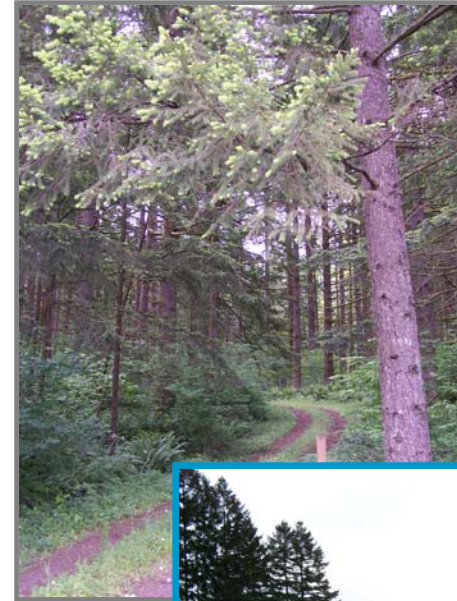
❖ ***HLCT took control of 57,632 acres of dry lakebed in Herlong, CA on September 24, 2003***

- **Plan is to hold site for 5 years or less**
- **Project proceeding well**
 - **Second year of endangered species (CWS) survey work completed**
 - **CWS conservation strategy drafted**
 - **Transfer agreement drafted**

❖ ***Working with Lassen County and CA State Lands Commission for 2006 transfer of Site by to CA***

Camp Bonneville

- ❖ **3,840 acre training facility**
 - **Two cantonments**
 - **21 former firing ranges**
- ❖ **Closed in BRAC 95 round**
- ❖ **Located in Clark County, WA**
 - **Fastest growth in WA**
- ❖ **Primarily forested land with some open meadows**
- ❖ **Env. issues include:**
 - **MEC and lead at firing ranges and impact areas**
 - **Groundwater at former landfill**

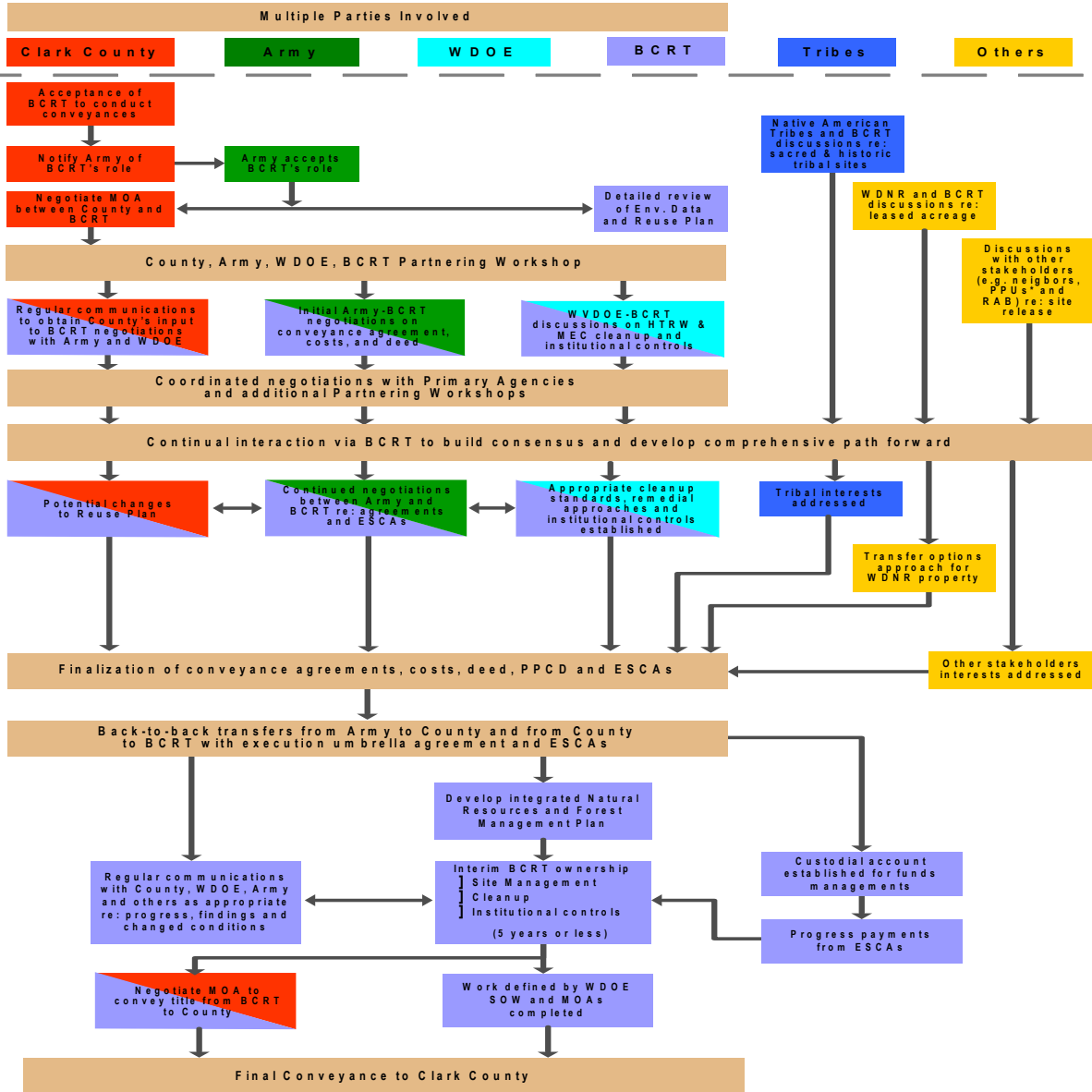


- ❖ ***Second Conservation Conveyance and FIRST Early Transfer of contaminated property under this authority***
 - **Bonneville Conservation and Restoration Team (BCRT)**
 - Members include The Trust for Public Land (NFP), Baker as the project manager, Marstel-Day (Regulatory Negotiations), MKM Engineers (MEC) and PBS Environmental and Engineering (Vancouver-based Env. firm)
 - BCRT selected from three proposals on 7/8/2005
- ❖ ***Clark County and BCRT signed MOA naming team their Conservation Partner for transfer***
- ❖ ***Due diligence, scope and cost negotiations on-going with Clark Co., WDOE, US Army and Insurers since 7/20/2005***

Work Process for Camp Bonneville Negotiations

TIMELINE

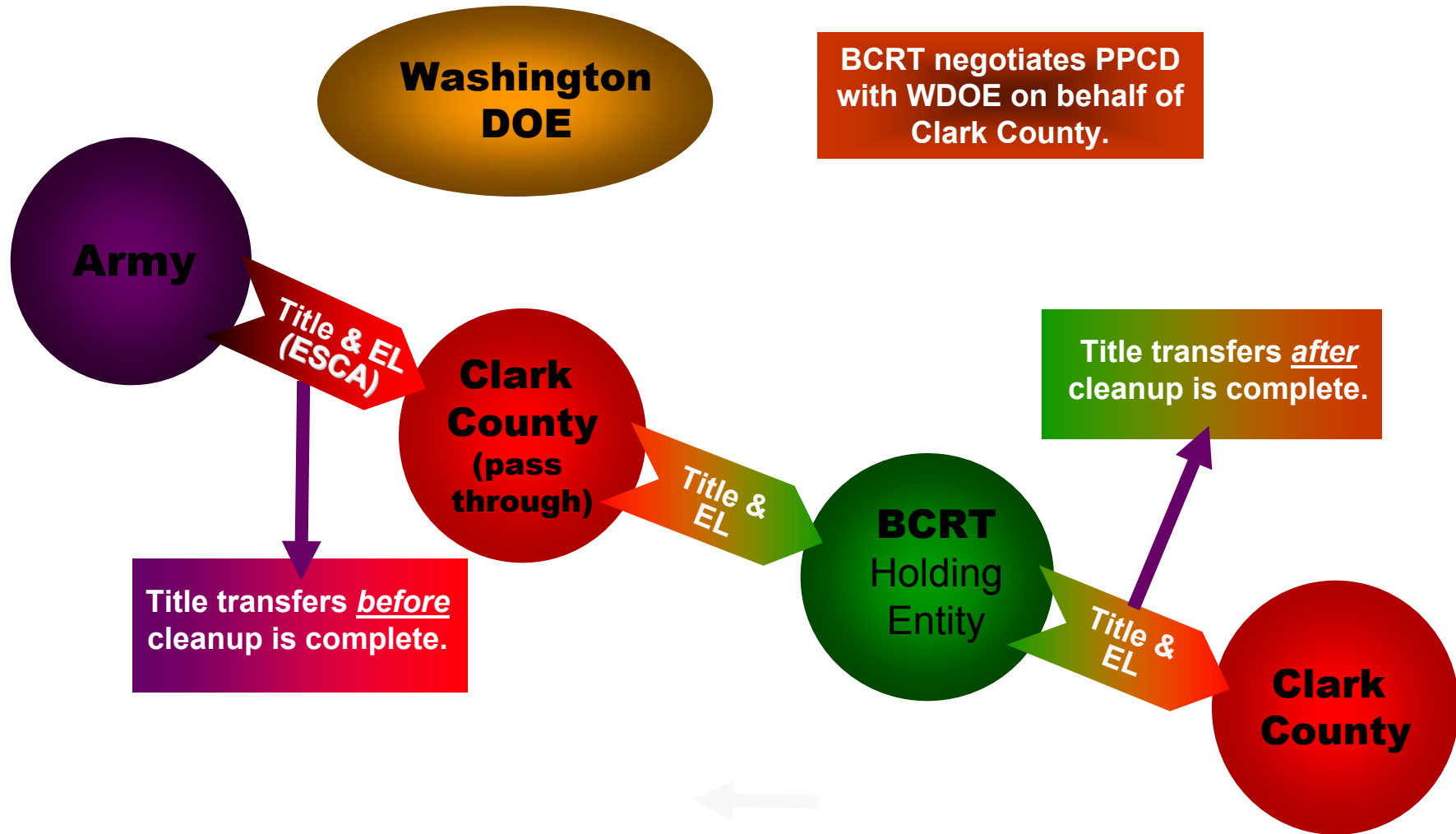
WORK PRODUCT



- Letter to Army
- County-BCRT MOA
- Scope and Cost Estimate
- Conservation & Restoration SOW & Cost Estimate
- Conveyance Agreement, Deed, PPCD and ESCAs
- Executed Agreements
- Natural Resources and Forest Mgmt. Plan
- Cleanup Action Report(s)
- Executed MOA & Deed

* PPU = potential park users

Camp Bonneville Transfer Process –



❖ ***Transfer is now dependent upon completion of these key documents:***

- **Finding of Suitability for Early Transfer (FOSET)**
 - FOSET will then public noticed and submitted to WA Governor for signature
- **Prospective Purchaser Consent Decree (PPCD) – WDOE**
 - Agreement 90% done
 - PPCD public comment starts early April; public meeting mid-April.
- **Environmental Services Cooperative Agreements (ESCA)**
 - ESCA limited to two years in duration; two serial agreements will be needed for project
 - Army currently reviewing County/BCRT comments on second draft of ESCA and component TSRS
- **State Environmental Protection Act Review (SEPA) – Clark Co.**
 - County taking lead; review based on existing documentation
- **Contracts among members of BCRT**

❖ *Advantages*

- Proven mechanism
- Possibility for rapid property transfer
- Transfer property other mechanisms cannot
- Leverage existing relationships
- Change project dynamics
 - Simplify, focus other EDC transfers at a facility
- Avoid setting precedents
- Avoid issues of sovereignty

❖ *Disadvantages*

- Last in line for property transfers
- Clearing or managing prior property claims a problem
- NFP understanding of military
- Costly process (e.g., due diligence, length and complexity of negotiations) limits NFP interest

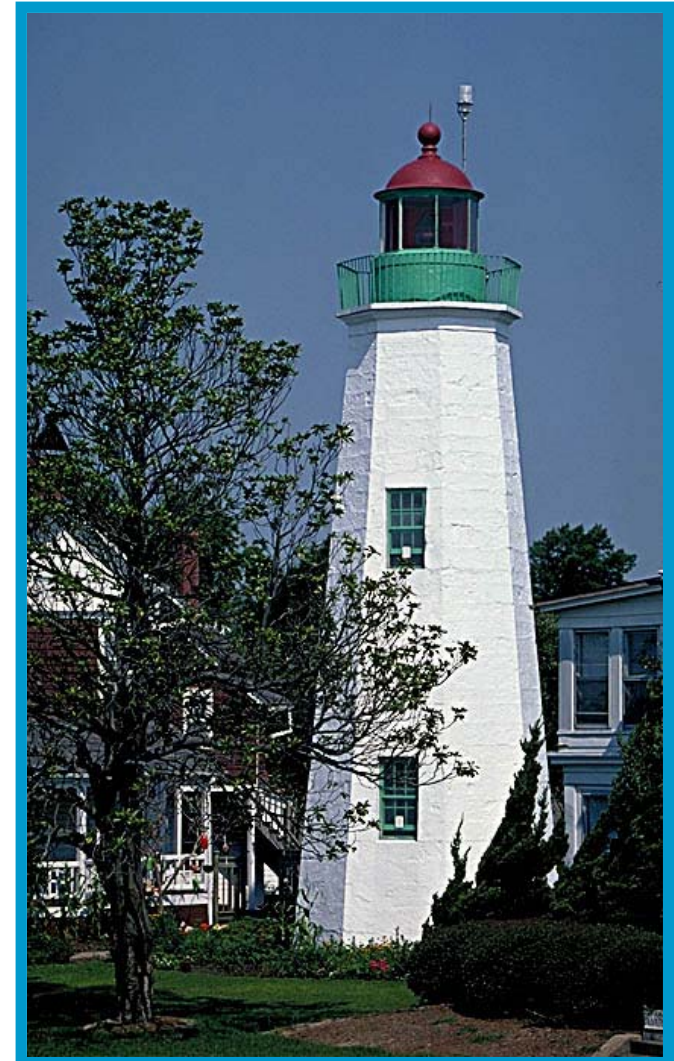
Example BRAC 2005 Installation

❖ *Fort Monroe, Virginia*



❖ *Base redevelopment will have to address:*

- **Historic Fort Monroe**
- **Point Comfort Lighthouse**
- **High-quality wetlands**



❖ ***Multiple conveyances would simplify and focus each transfer***


- **Historic conservation conveyance for the Fort and Lighthouse**
- **Conservation conveyance for the wetlands**
- **Economic Development Conveyance for remainder of facility**



❖ ***Multiple conveyances would simplify and focus each transfer***

- **Historic conservation conveyance for the Fort and Lighthouse**
- **Conservation conveyance for the wetlands**
- **Economic Development Conveyance for remainder of facility**



- 
- ❖ ***CC can aid in making other conveyances easier and more attractive***
 - **Developers can focus on their expertise**
 - ❖ ***Relieves military of environmental steward responsibilities sooner***
 - ❖ ***Places resources into the hands of NFPs that can protect and manage them***
 - ❖ ***Consider CC as a first option, not last***

Questions ???



From: [Johnson, Greg](#)
To: [Barnett, Jerry](#); [Bjerke, Bill](#); [Tyler, Kevin](#); [Hoggatt, Laura](#)
Subject: FW: conservation conveyance
Date: Monday, September 24, 2018 3:02:43 PM
Attachments: [4165-66-M-BRRM-508.pdf](#)
[\(16a\) FINAL Bonneville FOSET \(Signed\) complete 4 Aug 06.pdf](#)
[\(9\) Deed to County.pdf](#)

Here is the information I sent Councilor Bolt, below is a hyperlink to the crux of the conservation conveyance do's and don'ts.

<https://www.law.cornell.edu/uscode/text/10/2694a>

From: Johnson, Greg
Sent: Thursday, September 13, 2018 1:16 PM
To: Boldt, Marc
Subject: RE: conservation conveyance

Marc

The Conservation Conveyance is BRAC its more of a delivery method for the properties than a document that say's what can and cannot be done. I attached DOD 4165.66 which is the BRAC bible and it explains the CC and the rest of the BRAC stuff.

The FOSET and especially the DEED put the restrictions on what the property can or cannot be used for I will attach those and send them to you. I remember Mike Dunning back before the 2006 transfer saying he did not like the Conservation Conveyance because the County could have it changed if they ever wanted to develop the park into something else. But the Deed restrictions are what would really affect us if we wanted to change any of the reuse we submitted. Let me know if you need anything else.

Greg

From: Boldt, Marc
Sent: Thursday, September 13, 2018 10:11 AM
To: Johnson, Greg
Subject: conservation conveyance

Greg. I'm trying to find where this is at to see what we can and cannot do. Do you know if it is in brac or another branch. Thanks. Marc

From: [Johnson, Greg](#)
To: [Barnett, Jerry](#); [Bjerke, Bill](#); [Tyler, Kevin](#); [Hoggatt, Laura](#)
Subject: FW: conservation conveyance
Date: Monday, September 24, 2018 3:02:43 PM
Attachments: [4165-66-M-BRRM-508.pdf](#)
[\(16a\) FINAL Bonneville FOSET \(Signed\) complete 4 Aug 06.pdf](#)
[\(9\) Deed to County.pdf](#)

Here is the information I sent Councilor Bolt, below is a hyperlink to the crux of the conservation conveyance do's and don'ts.

<https://www.law.cornell.edu/uscode/text/10/2694a>

From: Johnson, Greg
Sent: Thursday, September 13, 2018 1:16 PM
To: Boldt, Marc
Subject: RE: conservation conveyance

Marc

The Conservation Conveyance is BRAC its more of a delivery method for the properties than a document that say's what can and cannot be done. I attached DOD 4165.66 which is the BRAC bible and it explains the CC and the rest of the BRAC stuff.

The FOSET and especially the DEED put the restrictions on what the property can or cannot be used for I will attach those and send them to you. I remember Mike Dunning back before the 2006 transfer saying he did not like the Conservation Conveyance because the County could have it changed if they ever wanted to develop the park into something else. But the Deed restrictions are what would really affect us if we wanted to change any of the reuse we submitted. Let me know if you need anything else.

Greg

From: Boldt, Marc
Sent: Thursday, September 13, 2018 10:11 AM
To: Johnson, Greg
Subject: conservation conveyance

Greg. I'm trying to find where this is at to see what we can and cannot do. Do you know if it is in brac or another branch. Thanks. Marc

CAMP BONNEVILLE CITIZEN ADVISORY GROUP
CHARTER

As defined by the Clark County Manager,

“The primary and sole purpose of this group is to focus on reviewing the clean-up that has been completed and identify clean-up that still need to be completed. The results of this review will be incorporated into other mandatory processes and/or plans that the County must follow to be in compliance.”

K. Otto, Email to CAG Members and County Staff, Feb 21, 2024, 3:55 pm

The CAG is a fact-finding Committee charged with preparing a comprehensive summary of the Camp Bonneville property that:

- 1) Describes the MEC (Munitions and Explosives of Concern), UXO (Unexploded Ordnance), toxic substances, and other hazardous materials that have contaminated the property based on cleanup documents and other records,
- 2) Describes the actions that were undertaken as well as the ambiguities, disagreements, omissions, and discrepancies in the cleanup record,
- 3) Describes the key decisions that affected cleanup actions,
- 4) Identifies cleanup that still needs to be completed,
- 5) Recommends permanent Institutional Controls that are required to address the dangers and liabilities the property poses from contamination, MEC, UXO, and other hazards that remain in perpetuity,
- 6) Presents a master property map keyed to the grid squares and site coordinates used to locate on-the-ground cleanup actions. This map will identify:
 - a. Specific locations on the property where cleanup occurred, what specific cleanup actions took place, what was found, and what known contamination and hazards remain in situ,
 - b. Specific locations on the property where no cleanup actions occurred.

The CAG’s report and master map will serve as an important County resource for the management of this property.

Should CAG members disagree about the actions, ambiguities, disagreements, omissions, and discrepancies in the cleanup record, these different views will be noted and described in the CAG’s report.

To assure an accurate and meaningful process, County Staff will provide access to all cleanup documents and other information deemed relevant by CAG members.

Staff may incorporate information from the Committee's work into other mandatory processes and/or plans that the County must follow in order to comply with the cleanup requirements and legal mandates that govern the Camp Bonneville property.

Meetings will be scheduled monthly, except August, until the report to County Council is completed. CAG members may also meet additional times to review documents and compile information.

To assure a transparent and open public process, all CAG meetings will be recorded and a link to the recording will be included in the meeting's minutes. Time for public comment or questions related to the CAG's work will be allotted at the beginning of each meeting. Public comments and questions submitted to the CampBonneville@clark.wa.gov email address will also be reviewed at each meeting.

The Committee's findings will be jointly briefed by CAG members and County Staff to the County Council and County Manager at a Council Work Session.

All press releases and media interviews related to the Committee's work will be jointly prepared and approved by CAG members and County staff.

In accordance with Clark County's Mission Statement that emphasizes integrity, openness, and accountability in service to a diverse public, County Staff and CAG members support:

- Transparency – making statements and providing information that is timely, valid, accurate, and includes all relevant details.
- Integrity – making statements and providing all relevant information in an honest, fair, and truthful manner.
- Openness – consideration of different perspectives and willingness to adjust or change according to circumstances and additional information.
- Reliability – following through on actions or information in a timely fashion that is expected or has been promised.
- Accountability – accepting responsibility for and providing satisfactory reasons for one's actions.

To assure an accurate and meaningful process, County Staff and CAG members will review and compile information about the cleanup in an honest and fair manner and will not engage in actions that disrupt the group process.

Participants

CAG Members/Private Citizens

Michael Conway
Mary Lennox
Stephen Jones
Ann Shaw
Gregory Shaw
Allen Thomas

County Staff

Erik Harrison
Parks and Lands Specialist II
Rocky Houston
Parks and Lands Division Manager
Priya Dhanapal
Public Works Deputy Director

CAG Member/Clark County Sheriff's Office

Sergeant Tom Dennison
Camp Bonneville Firing Range Master

From: [Rocky Houston](#)
To: [Amy Arnold](#)
Subject: FW: CB CAG Charter Suggestion
Date: Thursday, March 28, 2024 2:13:54 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

FYI



From: Kathleen Otto <Kathleen.Otto@clark.wa.gov>
Sent: Wednesday, March 20, 2024 3:28 PM
To: Ann Shaw <ampshaw@gmail.com>
Cc: Amber Emery <Amber.Emery@clark.wa.gov>; ampalkovich@gmail.com; amphaw@gmail.com; Rocky Houston <Rocky.Houston@clark.wa.gov>
Subject: RE: CB CAG Charter Suggestion

Thank you for your email.

I have read the revised charter that was sent out and your email and proposed charter. I do think the direction provided is incorporated with the Charter that was sent out by staff. It states "...the Camp Bonneville Advisory Group (Group) dedicated to conducting an examination of cleanup objectives and reviewing evidence that either identifies further cleanup or supports the conclusion that no further action is required..." This is directly in line with the direction.

While I agree with some of the info in the Charter language you provided; I'm not supportive of including items such as "recommends permanent institutional controls, etc." While that is an important item that the County is responsible for, this groups purview is the identifying the clean-up that has been done and what still needs to be de done. Additionally, I do agree and support the County's Mission Statement, but I don't think that needs to be outlined in the Charter – it is a given in all the work we do.

I am supportive of the Charter that staff sent to the group as it clearly identifies the roles and responsibilities of the group. I am hopeful that all members who have volunteered their time on this group will move forward today with a good faith effort and assuming positive intentions. I'm cc'ing Rocky on my response for his information.

Thank you,
Kathleen



Kathleen Otto
County Manager

564.397.2458



From: Ann Shaw <ampshaw@gmail.com>
Sent: Monday, March 18, 2024 9:36 PM
To: Kathleen Otto <Kathleen.Otto@clark.wa.gov>
Cc: Amber Emery <Amber.Emery@clark.wa.gov>; ampalkovich@gmail.com; ampshaw@gmail.com
Subject: CB CAG Charter Suggestion

EXTERNAL: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kathleen,

I've carefully reviewed the Guidance that you and Council have provided to the Camp Bonneville Citizen's Advisory Group.

It is clear that the CAG is charged with preparing a comprehensive summary of the current status of the Camp Bonneville property related to the cleanup.

I believe this summary and map will be an important source of information for managing the property going forward.

It is also clear that the CAG's report is separate from the various compliance documents that County Staff are responsible for drafting.

I also believe there remains confusion about the nature of the CAG's charter.

There are two main types of charters — those that focus on the structure and procedures of a group, and those that focus on tasks.

The charter drafted by County Staff focuses solely on group process and limits its review only to those documents that Staff are using to draft compliance documents. CAG members are limited to asking questions as spectators in this process.

I believe it is more appropriate for the CAG charter to focus on the task at hand — preparing a comprehensive summary and map of the current status of the Camp Bonneville property as it relates to the cleanup.

With respect, I have incorporated your guidance into a draft CAG charter that outlines the elements of this task.

I believe this approach to the CAG's charter sets a more appropriate course for the work the CAG needs to accomplish.

The cleanup has been a complex process. In the charter, you'll see that I have included a joint briefing by CAG members and County Staff to you and the Council in a Council Work Session once the report has been completed. Other advisory groups have conducted similar briefings to the Council in Work Sessions. Allowing sufficient time for you and the Council to directly ask CAG members and County Staff questions as we work through the group's findings I believe will provide a firmer fact-based understanding of the challenges this property presents.

I welcome your thoughts and ideas about this draft charter.

I am also sharing this draft charter with County Staff and CAG members so that it can be discussed at Wednesday's CAG meeting.

Respectfully,

Ann Shaw