

TO: City Council
FROM: Brad Medrud, Planning Manager
DATE: September 20, 2022
SUBJECT: Bush Prairie Habitat Conservation Plan (HCP) Phase 2 Second Amendment to Service Provider Agreement

1) Recommended Action:

Approve the Bush Prairie HCP Phase 2 Second Amendment to Service Provider Agreement for signature.

2) Background:

The Mazama Pocket Gopher, the Streak-Horned Lark, and the Taylor's Checkerspot butterfly were listed for protection under the federal Endangered Species Act (ESA) in 2014. It is illegal for private and public landowners to "take" these species under the ESA, meaning the protected species cannot be harmed.

Working together with the Port of Olympia and large group of stakeholders, the City is preparing the Bush Prairie Habitat Conservation Plan (HCP) with consultant assistance to identify appropriate mitigation for these three endangered prairie species, as well as the Oregon Spotted Frog. The HCP will allow operations and maintenance, recurring activities, and development to occur in some areas frequented by endangered species, offsetting any habitat loss with other, contiguous mitigation sites.

The goal of the HCP is to allow responsible growth to occur in the City, while providing superior species protection over what an ad-hoc, case by case permitting approach is providing currently. It is the intent of the HCP to cover all actions by private and public landowners that require municipal approvals.

The City and Port applied for the Phase 2 grant from USFWS in March 2017 and were awarded the grant in April 2018. The Service Provider Agreement with ICF was completed in 2018 to work with the City and Port on Phase 2 of the Habitat Conservation Plan.

The proposed amendment would extend the time limit on the Service Provider Agreement fifteen months from current expiration date of September 30, 2022 to December 31, 2023. No other changes to the Service Provider Agreement are proposed.

WDFW has granted an extension of the Phase 2 grant with USFWS until April 1, 2023. The City filed a request for a Phase 3 grant in July 2022.

3) Policy Support:

Comprehensive Plan Conservation Element Goal C-1: Recognize the significant role played by natural features and systems in determining the overall environmental quality and livability of Tumwater.

Comprehensive Plan Conservation Element Policy C-2.16: Protect and preserve habitats for species, which have been identified as endangered, threatened, or sensitive by the state

or federal government, giving “special consideration: to conservation or protection measures necessary to preserve or enhance anadromous fisheries.

4) Alternatives:

- ☐ Remove from the consent calendar, discuss, modify, and approve the Bush Prairie HCP Phase 2 Second Amendment to Service Provider Agreement for signature
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5) Fiscal Notes:

This is federal grant and an internally funded work program task.

6) Attachments:

- A. Bush Prairie Habitat Conservation Plan (HCP) Phase 2 Second Amendment to Service Provider Agreement