

**THIRD AMENDMENT  
TO  
CITY OF TUMWATER/PORT OF OLYMPIA  
INTERLOCAL AGREEMENT  
FOR  
HABITAT CONSERVATION PLAN  
PREPARATION**

This Third Amendment ("Third Amendment") is dated effective this \_\_\_\_\_ day of \_\_\_\_\_, 2023, and is entered into by and between the CITY OF TUMWATER, a Washington municipal corporation ("CITY"), and the PORT OF OLYMPIA ("PORT"), a Washington public port district.

A. The CITY and the PORT entered into an Interlocal Agreement dated effective November 1, 2016, whereby the parties agreed to prepare a Habitat Conservation Plan jointly ("Agreement").

B. The CITY and the PORT entered into the First Amendment to City of Tumwater/Port of Olympia Interlocal Agreement for Habitat Conservation Plan Preparation dated May 11, 2020, that extended the Agreement until December 31, 2021 ("First Amendment").

C. The CITY and the PORT entered into the Second Amendment to City of Tumwater/Port of Olympia Interlocal Agreement for Habitat Conservation Plan Preparation dated November 1, 2021, that extended the Agreement until December 31, 2023 ("Second Amendment").

D. Section 8 of the Agreement provided that the Agreement may only be amended by written agreement signed by the parties.

E. The CITY and the PORT desire to amend the Agreement to continue the activities described in Section 1 of the Agreement by extending the duration of the Agreement found in Section 2.

NOW, THEREFORE, the parties agree to the following terms and conditions:

1. Duration.

Section 2 of the Agreement shall be amended to extend the term of the Agreement until December 31, 2025.

2. FULL FORCE AND EFFECT.

All other terms and conditions of the Agreement not modified by this Amendment shall remain in full force and effect.

DATED the effective date set forth above.

CITY:

CITY OF TUMWATER  
555 Israel Road SW  
Tumwater, WA 98501  
Debbie Sullivan, Mayor

PORT:

PORT OF OLYMPIA  
606 Columbia Street NW  
Olympia, WA 98501  
Rudy Rudolph, Executive Director

\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Karen Kirkpatrick  
Tumwater City Attorney

\_\_\_\_\_  
Heather Burgess  
Port Legal Counsel