

TO: General Government Committee
FROM: Brad Medrud, Planning Manager
DATE: December 11, 2024
SUBJECT: Contract between the City of Tumwater and the Washington State Department of Fish and Wildlife for the Phase 4 Bush Prairie Habitat Conservation Plan (HCP) Grant

1) Recommended Action:

Place the Grant Agreement between the City of Tumwater and the Washington State Department of Fish and Wildlife (WDFW) for the Phase 4 Bush Prairie Habitat Conservation Plan (HCP) Grant on the January 7, 2025 City Council consent calendar with a recommendation to approve and authorize the Mayor to sign.

2) Background:

The streaked horned lark, the Olympia pocket gopher, and the Oregon spotted frog were listed for protection under the federal Endangered Species Act (ESA) in 2013, 2014, and 2016, respectively. The Oregon vesper sparrow is not federally listed under the ESA yet, but it is anticipated to be listed in the future. All four species occur within the City.

Under the ESA, the U.S. Fish and Wildlife Service (USFWS) may issue an incidental take permit to private and public landowners to allow for limited “take” of these species. One of the requirements for an incidental take permit to be issued is that USFWS approve a habitat conservation plan.

Working together with the Port of Olympia, a large group of stakeholders, and consultants, the City is preparing the Bush Prairie HCP to identify appropriate mitigation for impacts to the three endangered prairie species, as well as the Oregon spotted frog. The HCP will allow City and Port operations and maintenance, as well as public and private development to occur in some areas frequented by endangered species, in exchange for the development of contiguous mitigation sites that offset any impacts.

The goal of the HCP is to allow responsible growth to occur in the City, as required under the state Growth Management Act, while providing superior species protection over what the ad-hoc, case-by-case federal permitting approach currently provides. It is the intent of the HCP to cover all development actions by private and public landowners that require municipal approvals.

In 2016 for Phase 1, the City and Port were awarded a \$117,338.86 federal grant with a \$95,423.74 match (\$47,711.87 City/\$47,711.87 Port) of cash and staff time. The grant included \$16,000 for WDFW to manage the grant.

In 2018 for Phase 2, the City and Port were awarded an \$846,000.00 federal grant with a \$300,000 match (\$150,000 City/\$150,000 Port) of cash and staff time. The grant included \$54,000 for WDFW to manage the grant.

In 2023 for Phase 3 the City and Port were awarded a \$225,000.00 federal grant with a \$79,000 match (\$39,500 City/\$39,500 Port) of cash and staff time. The grant includes \$56,250 for WDFW to manage grant and provide technical assistance and a WDFW \$14,750 match.

In 2024 for Phase 4 the City and Port were awarded a \$410,000.00 federal grant with a \$149,500 match (\$74,750 City and \$74,750 Port) of cash and staff time. The full USFWS grant award also included \$55,000.00 for WDFW to manage the grant and provide technical assistance and a WDFW \$5,500.00 match.

Because of the Phase 4 Grant amount, the Mayor will need to sign the contract after the City Council gives its approval.

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:

None.

5) Fiscal Notes:

The total dollars provided by this contract will not exceed \$410,000.00. The City and the Port of Olympia will provide an additional \$149,500 in non-federal matches, which will be divided evenly between the City and Port.

6) Attachments:

A. Contract between the City of Tumwater and the Washington State Department of Fish and Wildlife for the Phase 4 Bush Prairie Habitat Conservation Plan (HCP) Grant