

**CONTRACT AMENDMENT****TITLE:** City of Tumwater HCP Phase 2**WDFW NUMBER:** 18-11088**CONTRACTOR:** City of Tumwater**AMENDMENT NUMBER:** 3**AMENDMENT VALUE:** \$0.00**AMENDMENT EFFECTIVE DATE:**
04/01/2023**CONTRACT END DATE:**
04/01/2024

The above-referenced Contract between the State of Washington, Department of Fish and Wildlife (WDFW); and the City of Tumwater is hereby amended as follows:

AMEND Section D | Period of Performance

The period of performance is extended from April 1, 2023, to **April 1, 2024**.

This no cost time extension will allow more time to complete all objectives required under the Agreement.

AMEND Attachment C | Statement of Work

The Target Completion Dates for Objectives 1, 3 and 4 are extended .

Reporting dates are revised; and new reporting dates added.

This Amendment modifies and replaces the Statement of Work in its entirety with the attached Statement of Work.

This is a no cost Amendment resulting in the total Grant award remaining the same at \$1,146,000.

No other changes authorized under this Amendment.

All other terms and conditions of this Contract remain in full force and effect.

THIS AMENDMENT is executed by the persons signing below, who warrant that they have the authority to execute this Amendment.

CITY OF TUMWATER**WASHINGTON DEPARMENT OF
FISH AND WILDLIFE**

SIGNATURE DATE

Debbie Sullivan Mayor

PRINTED NAME AND TITLE

SIGNATURE DATE

Jeffrey Hugdahl

PRINTED NAME AND TITLE

AMENDMENT 3

Attachment C
Statement of Work
City of Tumwater Habitat Conservation Plan Phase 2

REQUEST SUMMARY

The City of Tumwater (City) and the Port of Olympia (Port) in cooperation with the Washington State Department of Fish and Wildlife (WDFW) received a Cooperative Endangered Species Conservation Fund (Section 6) Habitat Conservation Plan (HCP) Planning Assistance grant in the amount of \$900,000 (75% of the anticipated project cost; 94% or \$846,000 to the City of Tumwater, and 6% or \$54,000 to WDFW) to complete Phase 2 of the HCP development.

Phase 2 grant funds would be used to develop a public draft of the Bush Prairie HCP to cover urban residential, commercial, industrial, and institutional development activities conducted in the City and on Port properties within the City's urban growth boundary that affect listed and other special-status species and their supporting habitats.

The City and Port will complete the following tasks in the second phase of HCP development:

- Review and refine mitigation issues and opportunities identified in Phase 1 specific to the City and the Port for effective management of affected species and prairie ecosystems across private and public lands.
- Continue collaborative Plan development with participation by the Stakeholder group, comprised of property owners, businesses, conservation organizations, and federal, state, and local agencies. The Stakeholder group, convened in Phase 1, has helped to establish criteria for selecting and implementing policies, programs, and projects that seek to conserve and preserve affected species and prairie ecosystems.
- Develop and initiate a broad public process that builds on the work of the Stakeholder group to seek feedback on policies, programs, and projects aimed at conserving and preserving affected species and prairie ecosystems.
- Complete a draft HCP leveraging information collected, memoranda developed, and stakeholder feedback received in Phase 1.
- Develop information to support the US Fish and Wildlife Service (USFWS) in conducting National Environmental Policy Act (NEPA) scoping and defining the issues and anticipated actions for the public, including stakeholders.
- With the City as Lead Agency, develop information to support USFWS in conducting Washington State Environmental Policy Act (SEPA) scoping and defining the issues and anticipated actions for the public, including stakeholders.
- Complete the draft Environmental Impact Statement (EIS) for combined NEPA and SEPA compliance and publication in the Federal Register.
- Receive and review public comments on the draft HCP and EIS. Organize comments to identify themes and significant issues to aid the City and Port in the final stages of HCP development.

OBJECTIVES

The goals for Phase 2 of the HCP planning process are to (for more detail, please refer to "Objectives" and associated "Tasks" described later in the document):

- Continue to educate, inform and involve the public in conservation planning for endangered species.
- Continue to build on other local efforts by Thurston County, WDFW, Center for Natural Lands Management, Department of Defense, and USFWS to maintain and restore the South Puget Sound prairie ecosystem.
- Continue to hold regular meetings of the HCP development team convened in Phase 1 including representatives from the City, the Port, USFWS, the consultant, and other key contributors.
- Continue to seek feedback from stakeholder group convened in Phase 1.
- Incorporate the initial framework for management tools such as regulations, incentives and acquisition strategies that result in protection of contiguous properties to provide for the long-term preservation of endangered species developed in Phase 1 into a draft HCP.
- Integrate features of priority properties identified in Phase 1 as a basis for minimization and mitigation measures into the draft HCP.
- Assemble the elements of an implementation strategy that:
 - o Builds partnerships to implement the strategy,
 - o Establishes conservation milestones, and
 - o Recommends the roles and actions needed for effective conservation and mitigation from conservation partners.
- Complete a draft HCP.
- Develop a long-term HCP implementation funding strategy.
- Provide the Service with resources necessary to continue the NEPA process.
- Conduct the Washington SEPA process concurrent to the NEPA process.
- Provide information and support to complete a draft EIS on the HCP.

The City and the Port have identified the following specific tasks to achieve Phase 2 objectives. Funding obtained for FY17 is critical for continuing the planning efforts begun in FY15. The requested funding will enable achievement of the following tasks to be completed as soon as possible, within one to two years of receipt of grant funds from USFWS:

Objective 1 | Continue to engage stakeholder group and the public to ensure awareness and support of the process and long-term commitment to implementation of the HCP.

Tasks include:

1. Convene quarterly stakeholder group meetings to seek general public feedback on the process and outcomes.
2. Convene public meetings to seek general public feedback on the process and outcomes.

Objective 1 deliverable: Regular meetings with both stakeholder group and general public with feedback received and taken into consideration by project team.

Cost: \$180,644

Schedule: September 2018- April 2024

Completion Date: April 2024

Objective 2 | Use data collected during Phase 1 of the project to develop a draft HCP.

Tasks include:

1. Combine information from the Phase 1 memoranda with data related to current and planned land use, existing permit requests, land development potential, and management and mitigation strategies.
2. Describe the covered activities and environmental conditions relevant to the covered species.
3. Conduct the impact analysis and develop the conservation strategy.
4. Develop the adaptive management and monitoring program.
5. Estimate HCP implementation costs and funding sources.
6. Define the implementation structure, implementation schedule, and changed and unforeseen circumstances and remedial measures.
7. Describe alternatives to take.
8. Present and seek feedback on the administrative draft HCP to the stakeholder group and the public.
9. Incorporate feedback, where appropriate, into the draft plan.

Objective 2 Deliverable: Draft HCP.

Cost: \$188,943

Schedule: September 2018— April 2023

Completion Date: April 2023

Objective 3 | Complete final draft of HCP

Tasks include:

1. Complete First and Second Administrative Draft HCPs.
2. Complete Public Draft HCP

Objective 3 Deliverable: Final HCP for publication, provided electronically only.

Cost: \$348,458

Schedule: February 2019 - April 2024

Completion Date: April 2024

Objective 4 | Complete the draft state and federal environmental review on the draft HCP.

Tasks include:

1. If NEPA/SEPA review results in a Determination of Significance, initiate an EIS
2. Define Proposed Action, Purpose and Need, and Alternatives to the Proposed Action.
3. Document the environmental baseline conditions.
4. Conduct the environmental impact assessment for all applicable resource topics.
5. Complete the public draft EIS.

Objective 4 Deliverable: Draft NEPA and SEPA decision documents...

Cost: \$127,955

Schedule: February 2019 - April 2024

Completion Date: April 2024

LOCATION (PLAN AREA)

Based on the Plan Area and Permit Term Memorandum developed in Phase 1, the HCP plan area (Figure 1) covers the lands within the City boundaries, lands within the City's UGA that are under direct control of the Port, and any additional lands that are to be managed by the permittees for the purposes of covered species conservation. The HCP plan area will be at least 17,000 acres. The plan area may be expanded if suitable mitigation areas are identified outside this area.

ESTIMATED COST

Thurston County received \$846,000 of a \$900,000 pass-through grant funding in partnership with WDFW. A non-federal match of \$150,000, or 12.5% will be provided by the City of Tumwater. The remaining \$150,000 non-federal match will be provided by the Port through an annual entitlement grant. As a key stakeholder in the development of the HCP, the Federal Aviation Administration (FAA) will ask the Port to use this \$150,000 annual entitlement grant to offset the cost of the Port's \$150,000 (12.5%) match.

REPORTING REQUIREMENTS		
Report Title	Report Period	Due Date
Interim Federal Financial Report (SF-425)	March 31, 2019	May 31, 2019
Interim Performance Report	March 31, 2019	May 31, 2019
Interim Federal Financial Report (SF-425)	March 31, 2020	May 31, 2020
Interim Performance Report	March 31, 2020	May 31, 2020
Interim Federal Financial Report (SF-425)	March 31, 2021	May 31, 2021
Interim Performance Report	March 31, 2021	May 31, 2021

Additional reports amended to contract:

• Interim Federal Financial Report (SF-425)	March 31, 2022	May 31, 2022
• Interim Performance Report	March 31, 2022	May 31, 2022
• Interim Federal Financial Report (SF-425)	1/1/2022 – 12/31/2022	March 1, 2023
• Interim Performance Report	1/1/2022 – 12/31/2022	March 1, 2023
• Interim Federal Financial Report (SF-425)	1/1/2023 – 12/31/2023	March 1, 2024
• Interim Performance Report	1/1/2023 – 12/31/2023	March 1, 2024
• Final Federal Financial Report (SF-425)	1/1/2024 – 4/1/2024	April 1, 2024
• Final Performance Report	1/1/2024 – 4/1/2024	April 1, 2024

All reports should be sent to the WDFW Project Manager.

Tables and Figures

Table 1. Species that will likely be covered by HCP

Common Name	Scientific Name	Federal Status	State Status
Olympia pocket gopher	<i>Thomomys mazama pugetensis</i>	FT	ST
Streaked horned lark	<i>Eremophila alpestris strigata</i>	FT	SE
Oregon vesper sparrow	<i>Poocetes gramineus affinis</i>	FSC	SC
Oregon spotted frog	<i>Rana pretiosa</i>	FT	SE
Roy Prairie pocket gopher	<i>Thomomys mazama g/acialis</i>	FT	ST
Tenino pocket gopher	<i>Thomomys mazama tumuli</i>	FT	ST
Yelm pocket gopher	<i>Thomomys mazama ye/mensis</i>	FT	ST
Taylor's checkerspot butterfly	<i>Euphydryas editha taylori</i>	FE	SE
Golden paintbrush	<i>Castilleja levisecta</i>	FT	ST
Kincaid's lupine	<i>Lupinus su/phureus ssp. kincaidii</i>	FT	SE
Nelson's checkermallow	<i>Sidalcea ne/soniana</i>	FT	SE
Hoary elfin butterfly	<i>Callophrys polios obscurus</i>	[none]	SM
Mardon skipper butterfly	<i>Polites mardon</i>	[none]	SE
Oregon branded skipper butterfly	<i>Hesperia colorado oregonia</i>	[none]	SM
Puget blue butterfly	<i>Icaricia icarioides blackmorei</i>	[none]	SC
Vallée silverspot butterfly	<i>Se_el' eria zerene brennerii</i>	[none]	SC

Table 2. Tasks and Deliverables of the Responsible Parties.

Responsible Party	Task	Deliverable
City and Port	Continue to hold regular meetings of HCP development team convened in Phase 1.	Bi-monthly meetings convened to move effort forward.
City and Port	Continue to convene stakeholder group to receive feedback on work products.	Quarterly meetings convened; feedback received, considered, and integrated into work products.
Consultant, City, and Port	Incorporate memoranda developed in Phase 1 into a draft HCP. HCP will: <ul style="list-style-type: none"> • Include reference to management tools developed in Phase 1. • Integrate features of priority properties identified in Phase 1. • Include elements of implementation strategy. • Include funding strategy for long-term implementation. 	Draft HCP.
Consultant, City, and Port	Compile information necessary to initiate NEPA/SEPA efforts.	NEPA/SEPA review documents.
Consultant, City, and Port	Host public meetings to ensure the impacted public has opportunity to learn about and provide input into the draft HCP.	Public meetings.

Table 3. Benefits to covered species and quality of project area

Covered Species	Expected Benefit	Degree of Benefit	Justification
Olympia pocket gopher	The HCP will protect a major population necessary for recovery, including a source population that provides individuals for future emigration, and the HCP will mitigate for development threats to remaining habitat.	High	More than 75% (nearly all) of the range of the Olympia Distinct Population Segment of the Mazama pocket gopher is in the plan area. Conservation of this species will provide additional prairie ecosystem benefits and benefits to other species (page 11).
Streaked horned lark	The HCP will provide management to maintain large treeless expanses necessary for breeding, feeding, and nesting behaviors.	High	The largest breeding population in the South Puget Sound Region is in the plan area. ¹ The breeding population in the plan area is believed to be essential for recovery of the species.
Oregon vesper sparrow	Prairie restoration will benefit this species by maintaining habitat necessary for feeding, breeding, and/or sheltering behaviors.	Low	The plan area represents a small portion of the range of the species but contains all of the habitat features necessary for breeding, sheltering and feeding. This rarely recorded species has been documented to occur in the plan area.
Oregon spotted frog	Critical habitat for this species is in the plan area and the species will benefit from conservation activities at mitigation sites in the Black Lake drainage basin.	Medium	The plan area represents a small portion of the range of the species but contains all of the features necessary for breeding, sheltering and feeding. This rarely recorded species has been documented to occur in the plan area.
Roy Prairie pocket gopher	These species do not occur in the expected impact area; however, they may occur on mitigation sites in the plan area.	Low	Mitigation sites in these species' range will be managed to benefit prairie ecosystems, maintaining species productivity.
Tenino pocket gopher			
Yelm pocket gopher			
Taylor's checkerspot butterfly			
Golden paintbrush	The HCP will provide opportunities for reintroduction of native prairie plants at mitigation sites.	Low	Mitigation sites in these species' range will be managed to benefit prairie ecosystems. Although none of these species are known to occur within the plan area, each of them could establish in suitable habitat at mitigation sites.
Kincaid's lupine			
Nelson's checkermallow			
Hoary elfin butterfly	The HCP will conserve and restore feeding, breeding, and/or sheltering habitat for each of these prairie butterfly species. HCP implementation will include routine monitoring of mitigation sites so we may learn more about the species' distribution.	Low	It is not currently known if any of these species occur within the plan area. If any of them do, impacts might result from covered activities or the species may benefit from prairie conservation and restoration at mitigation sites.
Mardon skipper butterfly			
Oregon branded skipper butterfly			
Puget blue butterfly			
Valley silverspot butterfly			

¹ Estimated number of streaked horned lark pairs in South Puget Sound nesting areas based on survey information collected by WDFW and CNLM, compiled in Table 2 of the Kaufman Properties HCP (2015).

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