

**FIRST AMENDMENT  
TO  
SERVICE PROVIDER AGREEMENT  
FOR  
BUSH PRAIRIE HABITAT CONSERVATION PLAN PHASE 4**

This First Amendment ("Amendment") is dated effective this \_\_\_\_\_ day of \_\_\_\_\_, 2026, and is entered into by and between the CITY OF TUMWATER, a Washington municipal corporation ("CITY"), and ICF JONES & STOKES, INC., a Delaware corporation ("SERVICE PROVIDER").

A. The CITY and the SERVICE PROVIDER entered into a Service Provider Agreement dated effective February 25, 2025, whereby the SERVICE PROVIDER agreed to provide services related to the preparation of a Habitat Conservation Plan ("Agreement").

B. Section 14 of the Agreement provided that the Agreement may only be amended by written agreement signed by the parties.

C. The CITY and the SERVICE PROVIDER desire to amend the Agreement to continue the services described in Section 1 of the Agreement, extend the term of the agreement, provide additional services described in Exhibit A-1, and increase the compensation paid to the SERVICE PROVIDER for providing the additional services during the extended term.

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

1. TERM.

Section 2 of the Agreement shall be amended to extend the term of the Agreement until December 31, 2027.

2. SCOPE OF SERVICES.

Section 1 of the Agreement shall be amended to include the additional services detailed in Exhibit A-1 attached hereto and incorporated herein.

3. COMPENSATION.

In consideration of the SERVICE PROVIDER continuing to provide the services described in Section 1 of the Agreement and providing the additional services described in Exhibit A-1 during the extended term of the Agreement, Section 4.C.

shall be amended to increase the compensation paid to the SERVICE PROVIDER by an additional amount not to exceed FOUR HUNDRED FORTY-FIVE THOUSAND ONE HUNDRED SEVEN AND 91/100 Dollars (\$445,107.91) as described in Exhibit B-1. The total amount payable to the SERVICE PROVIDER pursuant to the original Agreement and this First Amendment shall be an amount not to exceed NINE HUNDRED FIFTY-FOUR THOUSAND ONE HUNDRED SEVEN AND 91/100 DOLLARS (\$954,107.91).

The amount of the compensation that can be paid in 2026 as part of this amendment is limited to TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$200,000).

4. FULL FORCE AND EFFECT.

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



## Exhibit A-1 Scope of Services

The following summarizes the scope and key assumptions associated with each remaining task reflected in the cost estimate.

### ***Task 1. Continued Public Engagement***

Task 1 includes continued stakeholder coordination and public engagement support necessary to advance the HCP and NEPA process through completion.

This task includes:

- Ongoing coordination with key stakeholders, USFWS, other agencies, and the public.
- Preparation for and participation in scheduled stakeholder meetings.
- Development of presentation materials and meeting summaries.
- Coordination with Cascadia to plan and execute in-person meetings.
- Follow-up documentation and response coordination following stakeholder discussions.

Cascadia will provide logistical and outreach support consistent with prior phases of the project.

### **Assumptions**

- Engagement activities are limited to scheduled meetings and anticipated coordination events.
- No large-scale public controversy or additional public outreach campaigns beyond the planned NEPA public review process.
- Cascadia support remains consistent with prior scope and level of effort.

### ***Task 2. Complete HCP***

Task 2 includes completion of the Habitat Conservation Plan through preparation of a revised Administrative Draft that USFWS determines is sufficient to initiate NEPA.

The anticipated steps include:

- Finalization and submission of the Administrative Draft HCP to USFWS.
- Three-month USFWS review (including HCP team, Section 7 review, and Solicitor).
- Incorporation of USFWS comments and revision into revised Administrative Draft HCP.

- Ongoing coordination with USFWS to resolve comments and refine the document.
- Preparation of a Screencheck Draft HCP for agency-level refinement.

The outcome of Task 2 is a revised Administrative Draft HCP that USFWS determines is sufficiently complete to initiate NEPA. Public release of the HCP occurs only in conjunction with publication of the Draft EA under Task 3.

**Assumptions:**

- USFWS review of Administrative Draft HCP lasts approximately three months.
- Comments are anticipated to be minor to moderate in nature due to prior coordination.
- One additional agency-level screen check review prior to NEPA initiation.
- WDFW review coordinated through USFWS.
- Two in-person coordination meetings with USFWS and/or stakeholders.
- Revisions do not require substantive restructuring of the conservation strategy.

***Task 3. Complete NEPA/SEPA***

NEPA is assumed to proceed under an Environmental Assessment (EA) pathway. USFWS ultimately determines the appropriate level of review. If USFWS determines that an Environmental Impact Statement (EIS) is required, schedule and cost would require refinement.

A 12-month EA timeline is assumed, consistent with federal review timelines and agency capacity.

Under this pathway, ICF will initiate NEPA following USFWS confirmation that the Administrative Draft HCP is sufficient to proceed. The NEPA effort will include development of the purpose and need statement and alternatives, preparation of an Administrative Draft EA, incorporation of agency comments, and preparation of a Draft EA for public release. Following publication, the project will move through public review, response to comments, preparation of a Final EA, and support for issuance of the decision document.

**Public Review and HCP Integration**

Consistent with federal practice, USFWS will publish the proposed HCP concurrently with the Draft EA. Public review therefore applies simultaneously to both documents. The NEPA phase includes a 30-day public comment period (assumed under EA), preparation of written responses to public comments (assume 60 days), coordination

with USFWS regarding any updates to the HCP resulting from comments, preparation of the Final EA, and support for the decision document. Any HCP refinements necessary as a result of the NEPA process are included in this task.

All public comment response efforts are included under Task 3 (Complete NEPA/SEPA). The HCP team will provide technical input as needed.

### **Assumptions**

- EA-level NEPA pathway.
- Approximately 12 months from initiation to Final EA.
- 30-day public comment period.
- 60 days for preparation of responses to public comments.
- Federal Register publication timing may extend overall schedule.
- Public comments are anticipated to result primarily in clarification rather than substantive changes to the conservation strategy.
- If substantive changes to the HCP are required following public review, additional schedule and cost may be required.

Figure 1. Proposed Schedule for Completion of Bush Prairie HCP

Task	2026												2027												2028											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
<b>Task 1. Continued Public Engagement</b>																																				
1.1 Plan and Prep for Stakeholder Meetings																																				
1.2 Conduct Meetings																																				
1.3 Meeting Follow up																																				
1.4 Stakeholder Outreach																																				
<b>Task 2. Complete HCP</b>																																				
2.1 HCP PM and Meetings																																				
2.2 Admin Draft HCP - Anticipated delivery to USFWS 3/15/2026																																				
2.3 Screencheck Public Draft - Anticipated delivery to USFWS September 2026																																				
2.4 Section 508 Compliance HCP																																				
2.5 Final Public Draft HCP																																				
<b>Task 3. Complete NEPA/SEPA</b>																																				
3.1 NEPA PM and Meetings																																				
3.2 NEPA Scope of Analysis																																				
3.3 Admin Draft EA																																				
3.4 Revised Admin Draft EA																																				
3.5 Public Draft EA																																				
3.6 Admin Final EA																																				
3.7 Revised Admin Final EA																																				
3.8 Public Final EA & Decision Document																																				
3.9 SEPA & Decision Document																																				
<b>Task 4. Early Implementation Tasks</b>																																				
4.1 Support Development and Updating Development Plans and Codes																																				
4.2 Support Development of Manuals, Forms, checklists, and Training Program																																				
4.3 Support Development of Administrative Systems to Support BPHCP																																				
4.4 Support Development of habitat Management Plan and Monitoring Program																																				

Note: Task 4 Early Implementation Tasks are covered by ICF's Phase 3 Service Provider Agreement.

Exhibit B-1 – Budget

See Attached Budget Exhibit B-1.

