

**CENTENNIAL CLEAN WATER FUND
GRANT AGREEMENT
BETWEEN THE
STATE OF WASHINGTON DEPARTMENT OF ECOLOGY
AND
PORT OF ILLAHEE**

THIS is a binding agreement entered into, by, and between the state of Washington Department of Ecology, (DEPARTMENT), and Port of Illahee, (RECIPIENT). The purpose of this agreement is to provide funds to the RECIPIENT to carry out the requirements described herein.

PART I. GENERAL INFORMATION

Project Title:	Illahee Surface Water Management Plan (SWMP)
Grant Number:	G0700283
RECIPIENT Name:	Port of Illahee
Mailing Address:	P.O. Box 2357 Bremerton, Washington 98310
Street Address:	NONE
RECIPIENT Administrative Contact:	George Schaefer, Port Commissioner
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E-Mail Address:	gnjschaefer@comcast.net
Project Manager:	James Aho
Mailing Address:	5940 Illahee Road Bremerton, WA 98311-9625
Telephone/Fax Number:	(360) 479-1049
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RECIPIENT Federal ID Number:	35-2291244
DEPARTMENT Project Manager:	Sarah Davenport-Smith
Mailing Address:	Northwest Regional Office Washington State Department of Ecology 3190 160th Ave. SE Bellevue, WA 98008-5452
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Illahee Surface Water Management Plan Project
Port of Illahee
Grant No.G0700283

DEPARTMENT Financial Manager:

Mailing Address:

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Water Quality Program

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DEPARTMENT

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DEPARTMENT Funding Source:

Total Cost:

Total Eligible Cost:

DEPARTMENT Share:

RECIPIENT Share:

DEPARTMENT Maximum Percentage:

Centennial Clean Water Fund

\$268,000

\$268,000

\$181,000

\$ 87,000

67 percent

The effective date of this grant agreement shall be the date this agreement is signed by the DEPARTMENT's Water Quality Program Manager. Any work performed prior to the effective date of this agreement will be at the sole expense and risk of the RECIPIENT.

This agreement shall expire no later than **March 15, 2010**.

PART II. POST PROJECT ASSESSMENT

- A. The RECIPIENT agrees to submit a brief survey regarding the key project results or water quality project outcomes and the status of eventual environmental results or goals from the project.

The DEPARTMENT's Performance Measures Lead will e-mail the RECIPIENT the Post Project Assessment Survey approximately sixty (60) days prior to the Post Project Assessment Date. This date will generally be three (3) to five (5) years after the agreement expires. An example of the Post Project Assessment Survey is included as Attachment 1. This form is to be completed by the RECIPIENT and sent as an e-mail attachment to the DEPARTMENT's Project Manager and the DEPARTMENT's Water Quality Program Performance Measures Lead.

The DEPARTMENT may conduct on-site interviews and inspections, and may otherwise evaluate the Project. The DEPARTMENT will enter the information provided into its performance measures database to be provided to the Washington State Legislature, United States Environmental Protection Agency, and other natural resource agencies. The Performance Measures Lead will be available as needed during negotiations, throughout the project, and in the post project assessment period as a resource.

The Post Project Assessment Survey is 3 to 5 years after the expiration date.
Post Project Assessment Date: **March 15, 2014.**

- B. Water Quality Goal(s): (Water Quality Goals are tangible environmental changes for the better, to be achieved or directly addressed by the proposed project.)
1. The project will contribute toward designated uses of the **Illahee Creek and Port Orchard Bay** being restored or protected, 303(d)-listed water bodies restored to water quality standards, or healthy waters kept from being degraded.
- C. Water Quality Project Outcomes: (Water Quality Project Outcomes are quantitative results realistically anticipated from the project that will directly lead to the Water Quality Goals.)

Qualitative outcomes for the project will include:

1. Implement a new monitoring program, which will integrate data from previous monitoring stations and additional new sites, to establish a baseline of water quality data.
2. Identify fecal coliform (FC) source areas.
3. Assess existing and future stormwater management needs within the watershed study area.
4. Provide a watershed planning approach which identifies how surface water runoff will be managed to protect water quality, critical habitat, and natural resources.
5. Develop and maintain a data management tool for documenting water quality trends and integrate GIS, water quality data, and data reporting functions.

6. Conduct public workshops for property owners on low impact development (LID) concepts and water quality best management practices (BMPs).
7. Form partnerships with local government, organizations, tribes, and regional and state agencies to design, coordinate, and implement the Surface Water Management Plan (SWMP).
8. Input data to Environmental Information Management System (EIMS). Support regional water quality efforts, like the Kitsap County Surface and Stormwater Management Program.
9. Prioritize projects that will affect water quality, habitat, and structures identified in the SWMP for streams and nearshore improvements.
10. Investigate possible corrective actions to raise dissolved oxygen (DO) levels in Illahee Creek.
11. Implement retention of natural stream hydrology to maintain salmonid habitat.

Quantitative outcomes for the project will include:

1. Quantify silt and nutrient loads from freshwater creeks, drainages, and shoreline seepages in Illahee Creek and adjoining marine waters of Port Orchard Bay.
2. Determine which waters are not in compliance with water quality standards.
3. Characterize water quality trends in Illahee Creek.
4. Plant vegetation and install stormwater BMPs in Illahee Creek with aide from a Nation Fish and Wildlife Foundation grant.
5. Identify nonpoint pollution sources.
6. Refer illicit stormwater discharges to Kitsap County Surface and Stormwater Management for investigation and correction.
7. Refer sewer leaks to the local sewer utility districts (either Kitsap County or City of Bremerton) for investigation and correction.

PART III. PROJECT DESCRIPTION

The RECIPIENT will work with Kitsap County agencies to develop a comprehensive regional *Surface Water Management Plan* (SWMP) for the Illahee watershed. The SWMP will address resource protection, water quality, correction of existing stormwater problems, and prevention of future water quality and critical habitat degradation from nonpoint pollution. The goal of the SWMP is to identify how stormwater will be managed to protect water quality and critical habitat in the face of previous and ongoing development within the watershed.

Watershed and basin assessments to identify water quality and water flow problems within the study area include drainage studies, aquifer protection, and a monitoring program. The RECIPIENT, in cooperation with Kitsap County, Kitsap County Health District, and the Illahee Forest Preserve Group, will share data, planning documents, and maps from past efforts in

addition to utilizing the DEPARTMENT’s Environmental Information Management (EIM) system. The SWMP will include analysis of existing and future land use conditions, hydrology, sensitive area protection, management strategies, low-impact solutions, priority projects, and a public education and outreach component.

PART IV. PROJECT BUDGET

Illahee Surface Water Management Plan	
TASK ELEMENTS	TOTAL ELIGIBLE COST (TEC)
TASK 1 - Project administration/management	
TASK 2 - Public Information and Education	
TASK 3 - Monitoring Program	
TASK 4 - Limited riparian plantings installation along Illahee Creek	
TASK 5 – Basin Assessment and Surface Water Management Plan Includes subtasks: 1) Preliminary Watershed Assessment; 2) Site Analysis and Assessment; Characterization & GIS Mapping; 3) Basin Assessments; 4) Surface Water Management Plan & Final Report; 5) Aquifer Protection Plan; and 6) Reservoir Site Analysis and Assessment	
Total	\$ 268,000
* The DEPARTMENT's Fiscal Office will track to the Total Eligible Project Cost.	
MATCHING REQUIREMENTS	
DEPARTMENT Share FY 2008 (67% of TEC)	\$ 181,000
RECIPIENT Share (33% of TEC) Eligible costs may consist of any combination of Cash, Interlocal, or In-Kind contributions.	\$ 87,000

Payment Request Submittals. RECIPIENT must submit payment request at least quarterly, but not more than monthly, unless allowed by the DEPARTMENT’s Financial Manager. The DEPARTMENT’s Financial Manager may require the RECIPIENT to submit regular payment requests to ensure efficient and timely use of funds. RECIPIENT is to report all eligible costs incurred on the project, regardless of the source of funding for those costs. This includes costs used as match.

Payment Schedule. Payments will be made on a cost-reimbursable basis.

PART V. SCOPE OF WORK

The RECIPIENT shall ensure that this project is completed according to the details of this agreement. The RECIPIENT may elect to use its own forces or it may contract for professional services necessary to perform and complete project related work. The RECIPIENT certifies by signing this agreement that all applicable requirements will be satisfied in the procurement of any professional services. Eligible and ineligible project costs are separate and identifiable for billing purposes. The RECIPIENT shall submit a copy of the final negotiated agreement(s) to the DEPARTMENT's Financial Manager.

The RECIPIENT further certifies by signing this agreement that if interlocal costs are allowed, all negotiated interlocal agreements necessary for the project are or will be consistent with the terms of this grant agreement, the DEPARTMENT's current edition of Administrative Requirements for Ecology Grants and Loans (see Attachment 2 for applicable document reference) and Chapter 39.34 RCW Interlocal Cooperation Act. The RECIPIENT shall submit a copy of each interlocal agreement necessary for this project to the DEPARTMENT's Financial Manager.

Property and services donated by organizations or individuals to accomplish grant requirements may be used if in-kind match is specified in the project budget. Donated property and services must comply with the DEPARTMENT's current edition of Administrative Requirements for Ecology Grants and Loans (see Attachment 2 for applicable document reference), the Funding Guidelines Volume One (see Attachment 2 for applicable document reference), and the Funding Guidelines Volume Two – Statutes and Regulations (see Attachment 2 for applicable document reference). Documentation will be required for all donated property and services.

TASK 1 - Project Administration/Management

- A. The RECIPIENT shall administer the project. Responsibilities shall include, but not be limited to: maintenance of project records; submittal of payment vouchers, fiscal forms, and progress reports; compliance with applicable procurement and interlocal agreement requirements; attainment of all required permits, licenses, easements, or property rights necessary for the project; conducting, coordinating, and scheduling of all project activities; quality control; and submittal of required performance items.
- B. The RECIPIENT and its designees shall manage the project. Efforts shall include conducting, coordinating, and scheduling project activities and assuring quality control. The RECIPIENT shall ensure that every effort will be made to maintain effective communication with the RECIPIENT's designees, the DEPARTMENT, all affected local, state, federal jurisdictions, and /or any interested individuals or groups. The RECIPIENT shall carry out this project in accordance with completion dates outlined in this

Agreement. Creation & coordination of a steering committee, will be comprised of the RECIPIENT, Kitsap County, Department of Ecology, Kitsap County Health District, Illahee Forest Preserve Group, private property representatives, and may include other agencies and jurisdictions.

- C. The RECIPIENT shall submit all invoice voucher submittals and supportive documentation to the DEPARTMENT's Financial Manager. Invoice voucher submittals shall include State of Washington Invoice Voucher Forms A19-1A, B2 (ECY 060-7), C2 (ECY 060-9), D (ECY 060-11), and G (ECY 060-14). The A19-1A form must include an original signature.

Forms E (ECY 060-12), F (ECY 060-13), H (F-21), and I (ECY 060-15) must be completed where eligible costs have been incurred.

Blank forms are found in Administrative Requirements for Ecology Grants and Loans (see Attachment 2 for applicable document reference).

- D. The RECIPIENT shall submit to the DEPARTMENT's Project Manager the following documents and in the quantities identified:

- Electronic copy of draft project completion reports – one copy
- Final project completion reports – three copies
- Electronic copy of final project completion report

The RECIPIENT shall submit two copies of any document(s) which require DEPARTMENT approval. Once approval is given, one copy will be returned to the RECIPIENT. If the RECIPIENT needs more than one approved copy, the number of submittals should be adjusted accordingly.

- E. **Required Performance:**

1. Administration and management of this grant project.
2. Maintenance of all project records.
3. Submittal of all required performance items, progress reports, financial vouchers, and maintenance of all project records.

TASK 2 – Public Outreach & Education

- A. The RECIPIENT will provide mediation and public education. Responsibilities shall include, but not be limited to: provide project area property owners and occupants an opportunity to learn about the water quality problem and to ask questions; report to the public about project progress and results; educate property owners and occupants about stormwater strategies, pet waste management, and water conservation. The RECIPIENT and designees will develop outreach tools to provide water quality information to the public, educate property owners and occupants about the pollution problems, and announce meetings.
- B. A Web page will be developed to communicate events, disperse data, maps and analysis,

and provide opportunities for involvement with the volunteer events and monitoring program. The Port of Illahee (POI) will employ various outreach tools, e.g., fact sheets, news releases, public information flyers, attendance at POI or Illahee Stewardship meetings, and minutes to provide exchange information from the program to the public.

- C. The RECIPIENT shall provide the DEPARTMENT with two copies of any tangible educational products developed under this grant, such as brochures, manuals, pamphlets, videos, audio tapes, CDs, curriculum, posters, media announcements or gadgets, such as a refrigerator magnet with a message. The RECIPIENT shall also supply the DEPARTMENT with the names and contact information of local project leads, and a computer file copy of an education product either on floppy disks or CD-ROM. If this is impractical, as in the case of a sign, display, Web site, workshop, or educational program, the RECIPIENT shall provide a complete description including photographs or printouts. This includes technical assistance tools if they are disseminated to a group.
- D. **Required performance:**
1. Develop public information and education (PIE) plan within three months of the effective date of the agreement.
 2. Create a Web page within six months of effective contract start date and continue to maintain the Web page.
 3. Establish training protocols and participation standards for citizen involvement in monitoring efforts within nine months of effective contract start date
 4. Develop and implement clear lines of communication with individuals at partner agencies.
 5. Conduct other meetings at regularly scheduled public Port of Illahee and Illahee Forest Preserve Group meetings and locations to report project status.

TASK 3 – Monitoring & Performance Evaluation

- A. Identify Illahee Creek Watershed water quality and water flow problems that will define thresholds for initiation of management responses; implement and identify monitoring requirements, locations, and adaptive management methods that will be used.
- B. Prior to initiating water quality monitoring activities, the RECIPIENT shall prepare a QAPP in accordance with the DEPARTMENT's Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies (*see Attachment 2 for applicable document reference*). The RECIPIENT may also reference Technical Guidance for Assessing the Quality of Aquatic Environments, February 1994 (Ecology Publication No. 91-78, available on the DEPARTMENT's Publications Web site at:

<http://www.ecy.wa.gov/biblio/9178.html>), in developing the QAPP

The QAPP shall include detailed information on the water quality monitoring approach and laboratory protocols, including types of data and samples to be collected, sample

location, sampling frequency, sampling procedures, analytical methods, quality control procedures, data handling protocols, and data assessment procedures. Any discussion of the monitoring approach must also include an explanation of how the project will yield sufficient information to achieve the purpose and intent of monitoring. A discussion of data accuracy and statistical requirements will be included. The QAPP shall be submitted to the DEPARTMENT for review, comment, and approval PRIOR to commencing environmental monitoring activities.

Water samples requiring bench testing shall be analyzed by an environmental laboratory accredited by the DEPARTMENT. A list of DEPARTMENT accredited laboratories and information on laboratory accreditation is provided on the Environmental Assessment Program website, currently available at:

http://www.ecy.wa.gov/programs/eap/labs/labs_main.html

All monitoring data collected or acquired under this agreement shall be managed in order to be available to secondary users and meet a ten year rule. The ten-year rule means that data documentation is sufficient to allow an individual not directly familiar with the specific monitoring effort to understand the purpose of the data set, methods used, results obtained, and quality assurance measures taken, ten years after the data are collected. To assist in this effort, the DEPARTMENT has created a database and data format for environmental data.

The RECIPIENT shall submit all monitoring data to the DEPARTMENT consistent with the DEPARTMENT's Environmental Information Management System (EIM) format. Data shall be submitted by following instructions on the EIM Web site, currently available at:

<http://www.ecy.wa.gov/eim>

The data submittal portion of the EIM Web site provides information and help on formats and requirements for submitting tabular data. Specific questions about data submittal can be directed to the EIM Data Coordinator, currently available at:

eim_data_coordinator@ecy.wa.gov

Since the RECIPIENT chooses to use Geographic Information System (GIS) data, the DEPARTMENT encourages that its data standards be followed. The DEPARTMENT's Guidelines for Creating/Accessing GIS Data under Ecology Grant and Loan Programs are currently available at:

<http://www.ecy.wa.gov/services/gis/data/standards.htm>

C. **Required performance:**

1. Develop interlocal agreements with Kitsap County Health District (KCHD) and/or Kitsap County submitted within five months of effective contract date.

2. Develop Quality Assurance Project Plan (QAPP) draft within five months of contract start date and submit to the DEPARTMENT's Project Manager for review and approval.
3. Approve final (Performance) Monitoring Plan for two-year monitoring program.
4. Develop post-project monitoring plan with modified frequency and adequate measures to be developed and included in Final Report.

TASK 4 - Riparian plantings installation along Illahee Creek

- A. The RECIPIENT will work with the Illahee Forest Preserve Group to partake in riparian planting activities at appropriate locations along Illahee Creek.
- B. Technical assistance for eligible water quality related agriculture activities provided under the terms of this grant shall be consistent with current U.S. Natural Resources Conservation Service (NRCS) standards and/or Technical Guide. However, technical assistance, proposed practices, or project designs that do not meet these standards may be accepted if approved in writing by the NRCS and the DEPARTMENT.
- C. If the RECIPIENT wishes to design a buffer not consistent with requirements below, the RECIPIENT shall submit a plan to the DEPARTMENT for approval and a written explanation as to why the following requirements cannot be met. In addition to these specific requirements, all restoration activities must be consistent with the Stream Habitat Restoration Guidelines (*see Attachment 2 for applicable document reference*):
 - 1) Riparian Buffers:
 - a. For agricultural areas, minimum buffer size for streams shall be an average width of 35 feet (on both sides of the stream). For those streams which provide habitat for endangered or threatened aquatic species, the minimum buffer size shall be an average of 50 feet. For all such streams, it is recommended that the RECIPIENT use Washington Department of Fish and Wildlife buffer widths found in the Final Joint Washington Department of Fish and Wildlife/Tribal Wild Salmonid Policy. When buffers are to be created in forested areas, buffer width must also be consistent with Forest Practices Rules.
 - b. The RECIPIENT shall obtain a conservation easement or a landowner agreement signed by the landowner prior to the establishment of a riparian buffer on private property. The conservation easement shall be consistent with Funding Guidelines Volume One (*see Attachment 2 for applicable document reference*). The easement or a landowner agreement must be effective for a minimum of ten- (10) years unless otherwise authorized by the DEPARTMENT.

- c. The RECIPIENT must develop a written and signed three- (3) year maintenance plan prior to establishing all riparian buffers. This plan shall detail responsibilities for both the landowner and the RECIPIENT and must include details concerning, but not limited to, watering plants, replacing dead plants, controlling noxious weeds, and repairing and maintaining buffer fencing.
 - d. Buffers established as part of this grant may not violate county Critical Area Ordinances, county Shoreline Rules, and/or other state and local regulations.
- 2) Riparian Plantings:
- a. The RECIPIENT shall develop plans for all riparian buffers, prior to establishment, which include plant locations and species. The plan shall be based on an assessment of native plant associations and community types.
 - b. The RECIPIENT shall only plant species which may be shown to be riparian in nature and indigenous to the primary watershed where the buffer is being established (ask the question, “Would this plant historically have occurred at this site?”).
 - c. The RECIPIENT shall, to the greatest extent possible, use genetically appropriate plant materials collected from the primary or secondary watershed where the buffer is to be established.
 - d. The RECIPIENT shall, to the greatest extent possible, utilize plant species which are early successional within the primary watershed. Early successional species are those whose characteristics are such that they are first to colonize after a disturbance.
- 3) Streambank Protection:
- a. Streambank protection projects must not stand alone, but be part of a larger riparian buffer project. The project must include the buffer and planting requirements listed above.
 - b. Rock should not be used to armor a bank against the erosive forces of a stream or river unless a bridge, road, or other man-made structure cannot be protected by any other means. In any situation where rock is to be used, the RECIPIENT must submit the design to the DEPARTMENT for an evaluation.
 - c. Streambank protection designs must be consistent with the [Aquatic Habitat Guidelines Integrated Streambank Protection](#) document provided by the Department of Ecology upon request or found at the following website: <http://www.wa.gov/wdfw/hab/ahg/strmbank.htm>

D. **Required performance:**

1. Ensure that riparian plantings are installed by the Illahee Forest Preserve Group in accordance with approved design standards as described above.
2. Ensure that riparian plantings are maintained for a period of at least five years for adequate survival.

TASK 5 – Basin Assessment and Surface Water Management Plan

The RECIPIENT will select a consultant to perform the following work. The scope of work will include subtasks: 1) Preliminary Watershed Assessment; 2) Site Analysis and Assessment; Characterization & GIS Mapping; 3) Basin Assessments; 4) Surface Water Management Plan & Final Report; 5) Aquifer Protection Plan; and 6) Reservoir Site Analysis and Assessment.

- A. **Preliminary watershed assessment** will consist of preliminary evaluation of water quality and habitat values in the Illahee creek and Illahee Basin Watershed. The purpose of the preliminary assessment will be to identify the existing processes and conditions that affect area water resources and critical habitat and to provide a context for the SWMP project.
- B. **Site Analysis, Assessment, Characterization & GIS Mapping** will include site mapping and environmental studies to identify the specific physical and environmental conditions in the Illahee area and to research existing mapping.
1. Topographic mapping and basin delineation at two-foot contours.
 2. A preliminary Geotechnical and Hydrogeologic Assessment which defines potential hydraulic continuity on the site.
 3. Wetlands, soils, and critical areas mapping.
 4. Stream, riparian, and sub-watershed mapping and assessment using GIS.
 5. Map existing stormwater controls and facilities, correlating with previous work done in this area.
- C. **Basin Assessment:** This task will include drainage analysis for the Illahee Creek watershed basin and approximately eight sub-basins within the port boundaries.
1. Identification and evaluation of potential surface water management opportunities, constraints, and limiting factors for each basin and sub-basin.
 2. Hydrologic analysis and modeling for existing and future conditions to reflect land use changes.
 3. Identification of water quality and quantity control BMPs.
 4. Conduct downstream assessments to evaluate existing surface water conditions and potential corrective action needs.
- D. **Surface Water Management Plan (SWMP):** This task will consist of writing and preparing the recommended draft and final SWMP. Specific activities will include:
1. Evaluating and selecting appropriate water quality, quantity, and erosion control BMPs.
 2. Identifying the approximate size, location, phasing of BMPs, and associated costs.
 3. If findings will support, develop a Capital Facilities Plan including financing needs.

4. Develop an Operation and Maintenance Plan.
 5. Utilize “All Known, Available, and Reasonable Methods of Prevention, Control and Treatment (AKART)” for new development and redevelopment in accordance with *Ecology’s Stormwater Management Manual for Western Washington (2005)*.
- E. **Aquifer Protection Plan (APP):** The plan will be prepared as an appendix to the SWMP and would address specific measures to protect groundwater resources in the project area. The APP will also address the critical hydrologic features of the aquifers in the areas that relate to the quality and quantity of the ground water resources. Specific activities would include:
1. An analysis of vulnerability of groundwater resources in the project area.
 2. An analysis of the influence of on-site sewage system densities on water quantity and quality.
 3. Evaluations of existing well head protection areas that extend onto the project site.
 4. Identification of groundwater source protection measures to ensure groundwater resources, including groundwater flows into Illahee Creek, are protected.
- F. **Reservoir Site Analysis and Assessment:** The reservoir is located on the site and was historically used to channel and collect runoff. The analysis will consist of site mapping and environmental assessment to identify the physical conditions in the vicinity of existing reservoir and evaluation and assessment of the reservoir structure itself.
1. Topographic mapping of the stream corridor from the mouth of the stream to an appropriate point upstream of the reservoir basin.
 2. Wetlands, soils, and critical area mapping.
 3. A geotechnical and hydrogeologic assessment of the stream corridor banks to determine the susceptibility to slides and sloughing in the area surrounding the reservoir and its upstream basin.
 4. A habitat report indicating the viability of utilizing the existing reservoir and the establishment of side/calming channels.
 5. A structural assessment of the reservoir structure including the viability of future use and any limiting factors.
 6. Develop plans for side/calming channels and reservoir restoration based on the information obtained during the site analysis and assessment to include the following:
 - a. Plans which note phasing and timing of specific work projects and required performance standards.
 - b. Development of a capital facilities plan including estimated costs.
 - c. Development of an operation and maintenance plan.
- G. **Required performance:**
1. Selection and contract with consultant within three months of effective contract date.
 2. Use existing data to identify the impairments to stream quality and habitat in the watershed including water quantity and quality assessments.
 3. Produce preliminary base flow assessment report six months after consultant selection.

4. Develop recommended technical approaches and management goals for the SWMP based on type and causes of impairments identified in the preliminary assessment.
5. Site characterization end products will include: base maps in GIS format, a Wetlands technical report, a Habitat Assessment report, a Geotechnical and Hydrogeologic Assessment, and a Baseline Water Quality Report (coordinating with KCHD).
6. Basin Assessment end products will include an analysis of the Illahee Creek basin and sub-basins within the RECIPIENT's boundaries (where appropriate) of surface water management constraints, opportunities, and limitations; and a "Modeling Technical Memorandum" that describes the basis for hydrologic model selection and calibration, which compares existing and future water quantity and quality conditions including facility BMPs.
7. Submit the draft APP and SWMP to the DEPARTMENT's Project Manager three months prior to the project expiration date.
8. Submit the final APP and SWMP to the DEPARTMENT with the final project report.
9. Evaluate the feasibility of utilizing the existing reservoir area to establish side/calming channels. Develop recommended technical approaches and design plans as a part of the final report.

PART VI. SPECIAL TERMS AND CONDITIONS

- A. Commencement of Work. In accordance with WAC 173-95A-080, the Department reserves the right to terminate this agreement if the RECIPIENT does not commence work on the project funded herein within sixteen (16) months of the date of the FY07 Final Offer and Applicant List (dated July 1, 2006). Based on this list date, work must begin by November 1, 2007.
- B. DEPARTMENT Funding Recognition. The RECIPIENT shall acknowledge and inform the public about DEPARTMENT funding participation in this project through the use of project signs and/or acknowledgement in published materials and reports, the news media, or other public announcements. Projects addressing site-specific locations must utilize appropriately sized and weather-resistant signs. Sign logos are available from the DEPARTMENT upon request.
- C. Documentation Requirement. The RECIPIENT has been selected for increased oversight. The RECIPIENT shall provide payment request backup documentation pertaining to this project unless otherwise specified by the DEPARTMENT. In addition, the DEPARTMENT may conduct additional site visits.
- D. Equipment Purchase. The following equipment shall be eligible for purchase through this project, with prior written approval from the DEPARTMENT'S Project Manager and Financial Manager: water quality monitoring equipment and accessories. The total cost of

all equipment purchased under this project shall not exceed \$5000. The type of equipment the RECIPIENT may purchase is limited to items listed above. Changes to equipment type must also have prior approval from the DEPARTMENT's Project Manager and Financial Manager.

At project completion all purchased equipment or acquired property shall be retained by the RECIPIENT for continuing the water quality objectives for which the equipment was purchased.

- E. Indirect Rate. To acknowledge overhead costs, the RECIPIENT may charge an indirect rate of up to 25 percent based on RECIPIENT employee's direct salary and benefit costs incurred while conducting project related work provided that prior to signature of this agreement, the DEPARTMENT's Financial Manager may require a list of items included in the indirect rate during negotiations or thereafter. Items that are generally included in an indirect rate are identified in Administrative Requirements for Ecology Grants and Loans (see Attachment 2 for applicable document reference).
- F. Interlocal Costs. Interlocal match must be in accordance with the terms of this agreement, including the indirect rate allowances, and Administrative Requirements for Ecology Grants and Loans (see Attachment 2 for applicable document reference). Interlocal agreements must be in place prior to interlocal costs being incurred to the project.
- G. Meetings/Light Refreshments. Prior approval must be given by the DEPARTMENT's Project Manager for any meeting or refreshment costs incurred to the project.
- H. Minority and Women's Business Participation. The Office of Minority and Women Owned Business Enterprises (OMWBE) has established voluntary goals for the participation of minority- and women-owned business in procurements made with DEPARTMENT funds. In accordance with the provisions of I-200, no contract award or rejection shall be made based on the achievement or non-achievement of the goals. Achievement of the goal is encouraged; however, the RECIPIENT and all prospective bidders or persons submitting qualifications must take the affirmative steps set forth in the grant agreement in procurement. It is a state and national goal to expand opportunities for minority- and women-owned business enterprise. RECIPIENTS are therefore encouraged to use minority- and women-owned banks (as defined by OMWBE). The RECIPIENT agrees to solicit and recruit, to the maximum extent possible, certified minority-owned (MBE) and women-owned (WBE) businesses in purchases and contracts initiated after the effective date of this agreement.

In the absence of more stringent goals established by the RECIPIENT's jurisdiction, the RECIPIENT agrees to utilize the DEPARTMENT's goals for minority- and women-owned business participation in all bid packages, request for proposals, and purchase orders. These goals are expressed as a percentage of the total dollars available for the purchase or contract and are as follows:

Construction/Public Works	10% MBE	6% WBE
Architecture/Engineering	10% MBE	6% WBE

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Purchased Goods	8% MBE	4% WBE
Purchased Services	10% MBE	4% WBE
Professional Services	10% MBE	4% WBE

The RECIPIENT and ALL prospective bidders or persons submitting qualifications shall take the following affirmative steps in any procurement initiated after the effective date of this agreement:

1. Include qualified minority and women's businesses on solicitation lists.
2. Assure that qualified minority and women's businesses are solicited whenever they are potential sources of services or supplies.
3. Divide the total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by qualified minority and women's businesses.
4. Establish delivery schedules, where work requirements permit, which will encourage participation of qualified minority and women's businesses.
5. Use the services and assistance of the State Office of Minority and Women's Business Enterprises (OMWBE) and the Office of Minority Business Enterprises of the U.S. Department of Commerce as appropriate.

By signing this agreement, the RECIPIENT certifies that the above steps were, or will be followed. Any contractor engaged by the RECIPIENT under this agreement shall be required to follow the above five affirmative steps in the award of any subcontract(s).

The RECIPIENT shall report to the DEPARTMENT at the time of submitting each invoice, on forms provided by the DEPARTMENT, payments made to qualified firms. The report will address:

1. Name and state OMWBE certification number of any qualified firm receiving funds under the voucher, including any sub-and/or sub-subcontractors.
2. The total dollar amount paid to qualified firms under this invoice.

I. Progress Reports. The RECIPIENT shall prepare and submit progress reports to the DEPARTMENT's Financial Manager and Project Manager. The progress reports will be sent electronically, unless report materials require the RECIPIENT to send hard copies. Progress reports shall be submitted regardless of whether work is performed or not. Progress reports shall cover the periods January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. The DEPARTMENT will not process payment requests until the corresponding progress reports have been received.

At a minimum, progress reports must contain a comparison of actual accomplishments to the objectives established for the period, the reasons for the delay if established objectives were not met, analysis and explanation of any cost overruns, and any additional pertinent information specified in this agreement.

The RECIPIENT shall also report to the DEPARTMENT the total number of volunteer (unpaid) hours contributed to the restoration or monitoring project, including time not being credited for matching purposes. This information will be conveyed to the Governor of

Illahee Surface Water Management Plan Project
Port of Illahee
Grant No.G0700283

the State of Washington in fulfillment of a request for state agencies to collect information about volunteers working for clean water.

PART VII. ALL WRITINGS CONTAINED HEREIN

This agreement, the appended GENERAL TERMS AND CONDITIONS, the DEPARTMENT's current edition of Administrative Requirements for Ecology Grants and Loans (see Attachment 2 for applicable document reference), the Funding Guidelines Volume One (see Attachment 2 for applicable document reference), and the Funding Guidelines Volume Two – Statutes and Regulations (see Attachment 2 for applicable document reference) contain the entire understanding between the parties, and there are no other understandings or representations other than as set forth or incorporated by reference, herein. No subsequent modification(s) or amendment(s) of this agreement shall be of any force or effect unless signed by authorized representatives of the RECIPIENT and DEPARTMENT and made a part of this agreement, EXCEPT that in response to a request from the RECIPIENT, the DEPARTMENT may redistribute the grant budget. The DEPARTMENT or RECIPIENT may change their respective staff contacts without the concurrence of either party.

IN WITNESS WHEREOF, the parties hereby execute this Grant:

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PORT OF ILLAHEE

DAVID C. PEELER DATE
WATER QUALITY PROGRAM MANAGER

GEORGE SCHAEFER DATE
PORT COMMISSIONER

APPROVED AS TO FORM ONLY
ASSISTANT ATTORNEY GENERAL

(Revised 6/21/06)

ATTACHMENT 1

**WATER QUALITY PROGRAM - FINANCIAL MANAGEMENT
POST PROJECT ASSESSMENT SURVEY**

*** Note: To activate check boxes double click on them. ***

1. Agreement Number:

2. Recipient Name:

3. Project Name:

4. Years Since Project Completion:

Three Four Five Other (please specify):

5. Contact Information:

Contact Name:

Contact Phone Number:

Contact E-mail Address:

6. Level of Involvement by Present Contact on Project:

7. Type of Project (check both if applicable): Activity Facility

8. Financing:

Total Project Cost:

Total Eligible Project Cost:

Ecology Loan Amount:

If Applicable, Ecology Grant Amount:

9. Water Quality and/or Compliance Problem:

10. Describe the *Most Critical* Specific "Project Result(s)" or "Outcome(s)" actually achieved by the Project:

11. Provide documentation (including digital color pictures) that evidence the continued maintenance and effectiveness of the Project at the time of this survey:

12. Check the Eventual Environmental Result(s) or Goal(s) substantively addressed or achieved by the Project:

- Designated beneficial uses restored or protected, and/or
- Regulatory compliance achieved, and/or
- Severe Public Health Hazard or Public Health Emergency eliminated.

13. Describe the status of the Eventual Environmental Result(s) or Goal(s) at the time of this assessment:

14. Describe subsequent work and ongoing efforts needed to achieve the Eventual Environmental Result(s) or Goal(s) by you and others in the area:

ATTACHMENT 2

WATER QUALITY PROGRAM'S FINANCIAL MANAGEMENT PUBLICATIONS

1. Administrative Requirements for Ecology Grants and Loans, Publication No. 91-18 (October 2000).
2. FY 2006 Funding Guidelines Volume One, Publication No. 05-10-069.
3. FY 2006 Funding Guidelines Volume Two – Statutes and Regulations No. 05-10-076.
4. Guidelines for Preparing Quality Assurance Project Plan for Environmental Studies, Publication No. 04-03-030 (July 2004).
5. Stream Habitat Restoration Guidelines(draft), <http://www.wa.gov/wdfw/hab/ahg/shrgdoc.htm>