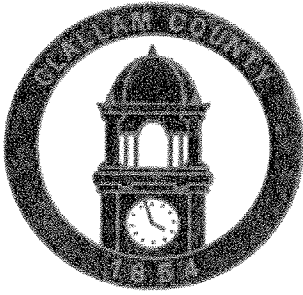


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11/6/12



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

Department: DCD

WORK SESSION **Meeting Date:** Nov. 5, 2012

REGULAR AGENDA **Meeting Date:** Nov. 6, 2012

Required Originals Approved and Attached?

Will be provided on:

Item Summary:*

- | | | |
|---|--|--------------------------------------|
| <input type="checkbox"/> Call for Hearing | <input checked="" type="checkbox"/> Contract/Agreement/MOU** | Contract # 332.10.030-1 |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Proclamation | <input type="checkbox"/> Budget Item |
| <input type="checkbox"/> Draft Ordinance | <input type="checkbox"/> Final Ordinance | <input type="checkbox"/> Other |
- Documents exempt from public disclosure attached:

Executive Summary:

ESA has entered into a Professional Services Agreement (PSA) with Clallam County to assist with the Shoreline Management Program (SMP) update (Contract No. 332.10.030, signed on September 21, 2010). The Department is requesting Board approval of an amendment to the PSA. ESA has completed the majority of the work identified in the original project scope, but some of the tasks are requiring more effort that was originally anticipated. The requested amendment: 1) extends the contract termination date one-year from December 31, 2012, to December 31, 2013; and 2) adds \$69,940 to budget for compensation of services to support the County's SMP update work. The scope of work to be covered under this amendment is described in Attachment A of the proposed amendment to the PSA.

Budgetary Impact:(Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget Action is required, has it been submitted and a copy attached?**

Funds to pay for the consultant's work are available through two grants currently awarded to the County from EPA and Ecology.

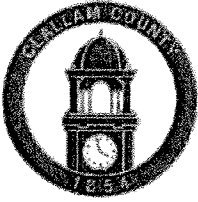
Recommended Action:(Does the Board need to act? If so, what is the department's recommendation?)

The Department recommends approval of the contract amendment provided the Board also approves the EPA grant contract amendment (Contract # 32.10.20402) also currently before the Board. The pending EPA grant contract amendment supports the time extension and additional compensation that is needed to support the contract amendment with ESA.

County Official Signature: _____

Date Submitted: 10-10-12

* Submit original and 5 copies
 ** Submit 3 originals and 5 copies



**PERSONAL SERVICES AGREEMENT
AMENDMENT 1**

THIS AMENDMENT is entered into between CLALLAM COUNTY, a political subdivision of the State of Washington, (hereinafter called "County" or "Clallam County") and

Name: ESA
Address: 5309 Shilshole Avenue NW, suite 200
Seattle WA 98107
Phone N^o: 206.789.9658

(hereinafter called "Contractor") and changes the following attachments to the agreement entered into on month, day, year.

This Amendment is comprised of:

- Extension of the termination date of this Agreement by one year from December 31, 2012, to December 31, 2013.
- Attachment A – Scope of Work (Specifies the remaining scope of work to be completed under this contract amendment.)
- Attachment B – Compensation (The amendment increases funds by \$69,940 for the work set forth in Attachment "A" of this amendment for a contract total of \$669,870.)

copies of which are attached hereto and incorporated herein by this reference as if fully set forth.

The term of this Amendment shall commence on the 1st day of July 2012 and shall, unless terminated as provided elsewhere in the Agreement, end on the 31th day of December 2013.

IN WITNESS WHEREOF, the parties have executed this Agreement on this _____ day of _____ 2012.

Contractor: CLALLAM COUNTY BOARD OF COMMISSIONERS

Print name: Margaret Clancy

Title: Director

Date: 10/19 2012

Howard V. Doherty, Jr., Chair

Approved as to form only by:

Brian Wendt
Deputy Prosecuting Attorney
Clallam County

Originals: BOCC
Vendor
Initiating Department

THIS CONTRACT HAS BEEN APPROVED AS TO FORM BY THE CLALLAM COUNTY PROSECUTING ATTORNEY

SCOPE OF WORK

Background: ESA has entered into a Professional Services Agreement with Clallam County to assist with the Shoreline Management Program (SMP) update (Contract No. 332.10.030, signed on September 21, 2010). ESA has completed the majority of the work identified in the project scope, but some of the tasks are requiring more effort that was originally anticipated. In addition, the project schedule has been extended to allow more time for community input and County staff review of the February 2012 draft SMP. The tasks requiring additional effort are outlined below. Task numbers correspond to ESA's original scope of work.

Task 1.3 - Committee Support

ESA will support and participate in up two additional shoreline advisory committee meetings in the fall of 2012. ESA's work will consist of the following activities:

- Present the outcomes of the no net loss analysis to the committee
- Present the restoration plan and its relationship to the NNL analysis
- Discuss and document committee views and response to NNL implications on the draft cumulative impact assessment and restoration plan.
- Document how the committee's perspectives and input are reflected in the final draft SMP

Assumptions:

- ESA's scope does not include attending meetings in WRIA 20.
- ESA will advise County staff in designing meeting schedule, discussion items, and related support materials for the purposes of gathering early and continuous input from SMP Advisory Committee.
- County staff will take notes and produce meeting summaries.

Deliverables:

- Meeting presentation materials (powerpoints, summary of SMP changes, etc) and attendance at meetings.

Schedule:

- Work will be completed by December 2012

Task 3.1: No Net Loss (NNL) Indicators

ESA will generate a reach scale and parcel scale assessment of existing shoreline conditions and a thorough understanding of how the County's planned land use and development will affect shoreline conditions over time. Using conceptual models ESA will link potential changes in shoreline ecology to specific SMP management decisions and the restoration plan.

Assumptions:

- NA.

Deliverables:

- The NNL analysis and results will be summarized in the Cumulative Impact Analysis (CIA)-No Net Loss (NNL) report prepared via Tasks 3.4 and 4.3.
- Final list of NNL indicators
- Mapping and documentation of current shoreline conditions using ecological indicators at the river reach and nearshore drift cell scales to provide benchmarks for assessing future conditions.
- Guidelines and templates documenting the indicators and their use in achieving NNL for use in Clallam County and other jurisdictions around Puget Sound.

Task 3.4 - Preliminary Cumulative Impacts Analysis (CIA)

ESA will prepare a report summarizing the potential cumulative effects of the SMP on shoreline ecological functions. The CIA will consider how the likely future use and development of the shoreline under the proposed SMP may impact shoreline functions and will assess the adequacy of the proposed SMP standards in preventing cumulative impacts that would result in a net loss of shoreline functions. The CIA will include reach-by-reach assessments and scenario-based impact analysis, showing how standards and restoration activities will avoid and offset expected impacts.

Assumptions:

- This task does not include preparing a CIA for WRIA 20
- The CIA will include and integrate the NNL analysis

Deliverables:

- One draft CIA for County review and a final CIA based on County comments

Task 4.1 - Restoration Plan

ESA will prepare a report summarizing the shoreline restoration opportunities and priorities for the County, with the long-term goal of improving shoreline ecological functions. ESA will identify restoration priorities at the sub-basin or watershed scale using available information and make general recommendations about restoration implementation. County staff will be responsible for assembling information from various stakeholders and entities in the County on restoration programs and plans and will coordinate with advisory committee groups who can aid in completing this task. The restoration plan will include and implementation strategy with recommendations for coordination between groups doing restoration work and a list of specific prioritized restoration projects. The restoration plan will describe:

- Degraded areas, impaired ecological functions, and sites with potential for ecological restoration.
- Goals and priorities for restoration of degraded areas and impaired ecological functions.
- Existing and ongoing restoration projects and programs.
- Additional projects needed to achieve restoration goals and implementation strategies, including identification of prospective funding.
- Times and benchmarks for achieving restoration goals.
- Mechanisms to ensure that restoration projects and programs will be implemented.

Assumptions:

- This task does not include preparing a restoration plan for WRIA 20

Deliverables:

- One draft restoration plan for County review and a final plan based on County comments.

Task 4.2: Assemble Final SMP Draft

ESA will continue to support the County's efforts to develop an SMP that meets the no net loss requirements. This will include refining the February 2012 SMP to incorporate and reflect the no net loss analysis through changes to the proposed shoreline environment designations, shoreline buffer strategy, and use specific policies and regulations. The other main element of this task will be refining the preliminary draft SMP to better integrate and incorporate the county's critical areas regulations based on feedback received to date from staff, committee members and outside reviewers (e.g., FutureWise). The integration of revised critical areas regulations into the SMP is a key aspect of the NNL strategy.

After receipt of comments on the Preliminary Draft SMP from County staff, Ecology, the public and other stakeholders, ESA will revise the preliminary draft SMP and prepare a draft for planning commission review. ESA will assemble a complete Draft SMP with integrated critical areas regulations.

Deliverables:

Revised draft SMP that reflects the no net loss analysis and findings. The Draft SMP will include an appendix containing guidelines and templates to aide county staff in tracking and reporting information on no net loss during SMP administration. ESA will work with County staff to make the guidelines and templates available to other jurisdictions as desired.

Schedule:

- Work will be completed by February 2013

Task 4.3: No Net Loss Summary Report and Final CIA

ESA will prepare a report demonstrating how the SMP reflects the technical findings produced during Phases 1-3. The report will highlight the linkages between the results of the inventory and characterization, NNL assessment, use analysis, and restoration plan and the proposed SMP policies and regulations. The report will specifically describe the County's approach for ensuring there is no net loss of shoreline ecological functions in accordance with the shoreline guidelines.

ESA will also refine the draft CIA based on any revisions to the preliminary Draft SMP in Task 4.2. The final CIA work will be integrated with the NNL summary report to meet the requirements of the SMA grant.

Assumptions:

- The County is responsible for revising the CIA if there are substantial changes to the draft SMP during the local adoption process that would require significant new analysis of cumulative impacts of such changes. Such further modifications to the CIA would be made by County staff with technical assistance from ESA.

Deliverables:

- Revised CIA/ NNL Summary Report

Task 5.1: SEPA Review

ESA will prepare a SEPA checklist on the updated SMP. This will include the cumulative impacts analysis as an appendix.

Task 5.3: Planning Commission (PC) Review

ESA will attend three meetings/work sessions with the Planning Commission to answer questions and present background information on the SMP update process and findings.

Assumptions:

- None

Deliverables:

- Meeting participation.

Task 5.4: Board of Commissioners (BOC) Review

ESA will attend three meetings/work sessions with Board of County Commissioners to answer questions and present background information on the SMP update process and findings.

Assumptions:

- None

Deliverables:

- Meeting participation

Task 5.5: Responsiveness Summary

ESA will prepare a response to comments from the public hearing(s). County staff will compile and summarize the comments in a matrix format, and ESA will develop responses in consultation with County staff.

Assumptions:

- None

Deliverables:

- One draft summary for County review.

COMPENSATION

1. **a. FIXED FEE FOR SERVICE:** For services rendered, the County shall pay to the Contractor a fixed fee of _____ DOLLARS (\$) for the completed work set forth in Attachment A. Payments for completed tasks shall be made no more frequently than monthly; quarterly; semi-annually; annually; at completion of project; other (specify) _____ .

Each request for payment shall be supported by an invoice specifying the tasks completed up to the request for payment and the payment amount requested. In no event shall payment be sought in an amount which represents a percentage of the fee greater than the percentage of completed tasks.

OR

x **b. HOURLY RATES:** For services rendered, the County shall compensate the Contractor at the following hourly rates:

<i>Name/Position</i>	<i>Hourly Rate</i>
Clancy/Project Manager	180
Kramer/Facilitator	185
Jim Johannessen, Senior Geologist (sub consultant)	150
Merrill/Planner	90
Booy/ Planner/Scientist	92
Shakra/Planner	92
Seiter/Writer	70
Raymond-Bayer/GIS	95
CGS/Coastal Geology	108
Admin	103
Graphics	95

Payments for completed tasks shall be made no more frequently than x monthly; quarterly; semi-annually; annually; at completion of project; other (specify) _____ .

Each request for payment shall be supported by an invoice specifying: the name/position of the Contractor's employee if two or more are identified above; number of hours worked; completed tasks for which compensation is sought; estimated percentage of task completion; payment amount requested; other (specify) _____ .

This amendment increases funds by sixty nine thousand, nine hundred forty DOLLARS (\$69,940) for the completed work set forth in Attachment "A" for a contract total of six hundred and sixty nine thousand, eight hundred seventy DOLLARS (\$669,870). In no event shall Contractor be compensated in excess of \$669,870.

2. AND

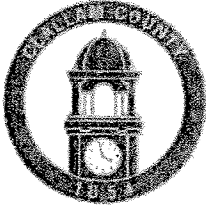
a. The compensation set forth herein includes, without limitation: labor, materials, equipment, travel, telephone, computer, copiers and the like.

OR

b. The County shall reimburse the Contractor for actual expenses incurred for travel, telephone, copiers and computer. Reimbursement for airfare, mileage, meals, and/or accommodations shall be at the same rate as that applicable to county employees traveling on county business.

OR

c. Other (specify):



PERSONAL SERVICES AGREEMENT

Contract Number: 332.10.030

THIS AGREEMENT is entered into between CLALLAM COUNTY, a political subdivision of the State of Washington, (hereinafter called "County" or "Clallam County") and

Name: ESA Adolphson
Address: 5309 Shilshole Avenue NW, suite 200
Seattle WA 98107
Phone N^o: 206.789.9658

(hereinafter called "Contractor").

This Agreement is comprised of:

- Attachment A – Scope of Work
- Attachment B – Compensation
- Attachment C – General Conditions
- Attachment D – Special Terms and Conditions
- Attachment E – (specify)

copies of which are attached hereto and incorporated herein by this reference as if fully set forth.

The term of this Agreement shall commence on the 21st day of September 2010 and shall, unless terminated as provided elsewhere in the Agreement, terminate on the 31st day of December 2012.

IN WITNESS WHEREOF, the parties have executed this Agreement on this 21st day of Sept 2010

CONTRACTOR:

BOARD OF CLALLAM COUNTY COMMISSIONERS

Howard V. Doherty, Jr., Chair

Print name: LLOYD SKINNER
Title: Senior VP
Date: 9-20 2010

ATTEST:

Trish Holden, CMC, Clerk of the Board

Originals: BOCC 9-21-10
Vendor 9-22-10
Initiating Department 9-22-10
Copies: 5
C.: Corby 9-22-10

THIS CONTRACT HAS BEEN APPROVED AS TO FORM BY THE CLALLAM COUNTY PROSECUTING ATTORNEY

DEPUTY PA'S
REVIEW OF FORM, ONLY

Y9903

PERSONAL SERVICES AGREEMENT

ATTACHMENT A

SCOPE OF WORK

ATTACHMENT A
SCOPE OF WORK
CLALLAM COUNTY
COMPREHENSIVE SHORELINE MASTER PROGRAM UPDATE

Environmental Science Associates (ESA)

Background: Clallam County (County) plans to update their Shoreline Management Program (SMP) to comply with the procedural and substantive requirements of the state Shoreline Management Act (RCW 90.58) and its implementing rules, including the SMP Guidelines (WAC 173-26 Part III). ESA¹ will assist the County in completing specific aspects of the SMP update work in accordance with this scope of work (SOW). The SMP update work occurs in five overlapping phases, each with specific tasks and subtasks. This SOW identifies the assumptions and target completion dates for the work that ESA will conduct in order to help the County complete specific deliverables identified in the County's grant contracts with the Washington State Department of Ecology (Ecology) (SMA Grant Agreement No. G100062) and the EPA (EPA Grant No. PO-00J08801). Changes in the assumptions could result in the need for contract modification.

The following assumptions underlie all Phases and Tasks:

- Unless otherwise specified for each written deliverable identified in this scope, ESA will provide one draft for County staff review. Following receipt of one set of consolidated comments from County staff, ESA will produce a revised draft for submittal to Ecology. Following receipt of one set of consolidated comments from Ecology staff, ESA will prepare the final deliverable. Additional revisions to deliverables could require a contract modification.
- Coordination and review with the technical staff from other agencies is expected to be primarily by email and through web-based media, rather than in-person meetings.
- County and Ecology review of draft products will be timely (30 days or less).
- Unless otherwise specified, ESA will provide deliverables in electronic format only (in the form of Word documents, PDFs, and/or GIS files).
- The County will be responsible for submitting deliverables to Ecology and or EPA in accordance with their grant agreement.
- The County will keep citizens and interested parties informed of the project status throughout update process them through regular mailings, website updates, media postings, and other means.
- The County will be responsible for demonstrating how specific work products comply with the SMP Guidelines and completing the relevant sections of the SMP submittal checklist with assistance from ESA.
- County staff will handle all logistical preparations for all public meetings, forums and workshops including, but not limited to advertising, notifying participants, securing meeting rooms, and making copies of displays/ handout materials.
- ESA's scope does not include participating in or attending meetings in WRIA 20.
- ESA will provide a brief written summary of each public/agency/advisory committee meeting that we attend/facilitate to document: discussion topics, public input, areas of agreement/disagreement, action items, and other pertinent outcomes.

¹ Includes ESA staff and project subconsultants: Kramer Consulting, Coastal Geologic Services, Carol MacIlroy and Ann Seiter.

- Throughout the project, ESA will provide guidance as to the type of input County should obtain to support the SMP update.
- ESA will have a 1 hour bi-weekly status meeting with county staff by phone during the course of the SMP update. In-person coordination meetings will occur quarterly in conjunction with other project-related travel to Clallam County.
- County staff will provide first line response to all public inquires and requests for information.
- County staff will be attend all public meetings to help inform the public and answer questions.
- ESA will assist County staff in preparing updates to the project timelines and milestones in the Clallam County Public Participation Strategy consistent with this scope of work.
- ESA will develop presentations and materials to support public meetings they attend with assistance from County staff.
- The phases described below are sequential in the order that they start but overlapping in timing and interaction with each other.

PHASE 1: VISIONING

Phase 1 involves initial public outreach and community participation for the purposes of identifying and defining a comprehensive vision for how the County's shorelines should be managed. This work will occur in accordance with County's approved SMP Public Participation Plan. By helping the community identify its long-term desires for preferred shoreline uses and allocation of waterfront lands, the visioning process will inform development of the SMP goals, policies and regulations. Phase 1 includes forums, focus groups, interaction with standing advisory committees, and outreach to tribal governments. Additional public outreach and participation activities beyond the initial visioning work will occur throughout the SMP update process in subsequent phases and tasks as described below.

Task 1.1: Regional Visioning Forums

ESA will design and facilitate (with Clallam County staff) four regional shoreline visioning public forums to help citizens and stakeholders identify and define their vision for future use of the County's shorelines. ESA will use the forums to understand people's concerns, what they see as "assets" in terms of the current shoreline management framework, and what they perceive as "threats." The regional forums will target the following geographic areas: (1) WRIA 17 (area in Clallam County) and WRIA 18 East; (2) WRIA 18 West, (3) WRIA 19 East, and (4) WRIA 19 West. Meetings will occur in early 2011 once preliminary shoreline inventory and characterization information is available. The forums will help ensure that the public is involved in creating a robust inventory and characterization and set of shoreline goals and polices that are tailored to the local community.

Task 1.2: Visioning Focus Groups

ESA will design and facilitate (with Clallam County staff) five visioning focus groups (small groups of 8-10 people) to be held in eastern and western Clallam County. Similar to the visioning forums, the objective of the visioning focus groups is to gather input from business owners, recreationists and shoreline property owners early in the update process concerning shoreline goals, priorities, uses, environmental protection, restoration, public access and other topics that directly affect them. ESA will use the focus groups to test key messages and ideas about shoreline management challenges and opportunities, to get direct feedback on what inspires action, and actively engage people in defining a successful SMP update strategy. The focus group meetings will occur prior to the regional forums and will help inform the structure and content of the regional forums.

Task1.3: Visioning with Tribal Governments and Standing Advisory Committees

ESA will design outreach activities to support the County's visioning efforts with Peninsula tribes (Quileute, Makah, Lower Elwha Klallam, Jamestown S'Klallam, and Port Gamble S'Klallam and Treaty

Tribes with Usual and Accustomed Areas in Clallam County) and standing advisory committees and work groups involved with watershed, marine resources, restoration, and community planning. ESA's role will be to advise County staff on the best approaches for engaging these groups in a conversation about the future vision of the County's shorelines and to develop presentation tools and materials to support these conversations.

Phase 1 Assumptions:

- ESA's scope does not include actively supporting visioning meetings in WRIA 20.
- ESA will advise County staff in designing meeting schedule, discussion items, and related support materials for the purposes of gathering early and continuous input from SMP Advisory Groups throughout Phase I (Visioning) planning process.
- ESA participation in meetings with tribal and advisory groups in the visioning phase is limited to 1 staff person attending up to 4 meetings. ESA will assist with the design and facilitation of these meetings.
- ESA would work with County staff to invite focus group participants from target audiences (business, recreationists and property owners).
- County staff will encourage Planning Commission members to attend the regional forums.
- County staff is responsible for keeping meeting records as needed to demonstrate to Ecology that the SMP Public Participation plan is being implemented as intended.
- ESA will support and advise county staff on consulting with resource management agencies concerning their vision for the County's shorelines.
- ESA will attend one Planning Commission meeting to present the results of the Phase 1 work.

Phase 1 Deliverables & Target Completion Dates:

- Shoreline Visioning Report describing the visioning process and synthesizing the input gained through the forums, focus groups, and meetings with tribes and advisory groups. ESA will provide an electronic copy and one master copy suitable for copying – Apr 2011.

PHASE 2: SHORELINE INVENTORY & CHARACTERIZATION and CONSISTENCY REVIEW

The shoreline inventory and characterization and consistency review are critical tasks that support future phases of the update. These tasks include technical analyses and public outreach as described below.

Task 2.1: Shoreline Inventory and Characterization

ESA will prepare a Clallam County Shoreline Inventory and Characterization Report consistent with WAC 173-26-201. ESA will assemble inventory data using GIS and will use GIS to analyze shoreline conditions. ESA will create an internet accessible GIS portal that enables staff, decision makers, advisory groups, Ecology and other key stakeholders to access, view at any scale desired, and interact with inventory datasets. In addition to the web-based mapping tool, ESA will provide the County with a portable GIS project (.mxd and associated files) that will include all of the relevant layers for the project. County staff will be able to use this GIS project to prepare maps, posters or graphics to support workshops, technical meetings and presentations.

The inventory will consider the following information and data to the extent that such information is pertinent and readily available:

- Shoreline and adjacent land use patterns with transportation and utility facilities, including the extent of existing structures, impervious surfaces, vegetation and shoreline modifications in shoreline jurisdiction, platted lots including undeveloped lots.
- Critical areas as defined in RCW 36.70A, the Growth Management Act.
- Degraded areas and sites with potential for ecological restoration.
- Areas of special interest, such as priority habitats, rapidly developing waterfronts, previously identified toxic or hazardous material clean-up sites, or eroding shorelines.
- Existing and potential shoreline public access sites, including public right-of-way and utility corridors.
- General location of channel migration zones, floodplains, and the floodway, to the extent they are known.
- Historical aerial photographs documenting past conditions to assist in preparing an analysis of cumulative impacts of development.
- Archaeological or historic resources in shoreline jurisdiction.
- Policies and regulations in shorelands and adjacent areas that affect shorelines, such as surface water management and land use plans and regulations, critical areas ordinances, etc.

The characterization report will:

- Present the geographic and jurisdictional context for the SMP update.
- Identify and document shorelines ecological functions and values.
- Describe issues and opportunities for shoreline protection and restoration.
- Analyze shoreline use and identify potential use conflicts to inform environment designation and allowed use decisions.
- Provide a foundation for establishing shoreline goals, environment designations, policies, and implementing regulations designed to achieve No Net Loss (NNL) of ecological shoreline functions necessary to support shoreline resources.
- Form the basis for more in-depth work on No Net Loss Indicators and use in the NNL/Cumulative Impacts Analysis Report (see Phases 3 and 4).
- Provide baseline information that will be needed for refining the list of ecological indicators and linking restoration actions to ecosystem-wide processes and specific ecological functions.
- Identify any significant data gaps that would be useful to support SMP development and implementation.

ESA's shoreline analysis will address the following three topics:

Ecosystem-wide processes:

ESA will collect and synthesize this information concerning physical and biological processes that influence freshwater and saltwater shorelines using readily available information to fulfill the Guidelines requirements and support development of policies and regulations.

Shoreline functions:

ESA will prepare a narrative with reference to maps and GIS data describing shoreline functions. The shorelines will be separated into reaches based on land use and ecological conditions. Functions that are associated with each shoreline reach will be described. ESA will consult with County staff and technical advisors to identify and delineate shoreline reaches for characterization. Specifically, this characterization will:

- Detail the physical, biological and land use components within shoreline jurisdiction; and
- Evaluate and assess shoreline ecological function based on current scientific understanding of the relationship between the conditions of ecosystem-wide processes

and functions within shoreline jurisdiction. Identify functions that are healthy; functions that are adversely impacted; and functions that may have existed and are now missing.

Shoreline uses and opportunities for public access:

ESA will assess shoreline uses and opportunities for public access as follows:

- Identify and analyze current patterns of land use and likely or projected uses in shoreline areas;
- Identify and analyze potential use conflicts and identify possible adverse impacts on ecological functions;
- Estimate future demand for shoreline space consistent with WAC 173-26-201(3)(d)(ii) requirements; and
- Identify and analyze opportunities and demand for SMA preferred uses and potential use conflicts based on current use patterns and projected trends.

Task 2.2: Consistency Report

ESA will review the County's existing SMP and shoreline management regulations (Chapter 35.01 CCC) for consistency with WAC 173-26. ESA will also interview County staff to identify strengths and weakness in the County's existing shoreline permitting process and find opportunities for improvement. Based on the review and interviews, ESA will identify gaps, overlaps, inconsistencies, and opportunities to improve clarity and comprehension of code language. ESA will provide recommendations on specific SMP provisions and standards that need to be updated in light of current SMP Guidelines.

Phase 2 Assumptions:

- ESA expects that Ecology's WRIA 18 and 19 Hydrologic Characterizations, Puget Sound Nearshore Ecosystem Restoration Project (PSNERP) geodatabase and Change Analysis, Point No Point Treaty riparian vegetation/land cover analysis, WRIA 18 and 19 Watershed Plans, and County GIS layers (e.g., public access, critical areas, zoning, etc.), and other available information will provide the basis for the characterization of ecosystem-wide processes.
- WRIA 20 inventory and characterization information is being supplied by others via a separate contract. ESA is not responsible for inventory and characterization of WRIA 20.
- ESA will attend one Planning Commission meeting to present the results of the Phase 2 work.
- County will provide Preliminary SMP Jurisdictional Layer and Map, and copies of relevant plans and studies (e.g., comprehensive plan, watershed plan, floodplain management plans, hazard mitigation plan, water quality monitoring data/reports, etc.).
- County will provide shoreline inventory GIS and related data layers including, but not limited to: critical areas, shoreline land use (including parcel based) and land cover, roads and trails, public access sites, known shoreline modifications, and historic and cultural resources.
- County will provide to ESA background information on existing restoration goals, priorities, identified projects, completed projects, and other information related to Endangered Species Act and other shoreline restoration efforts.
- The GIS web portal will be accessible to a wide network of individuals and groups involved in the SMP update process, but not fully accessible to the public at large. ESA will support the transition of the GIS datasets from the project web portal to the County's website at appropriate intervals during the update process.
- ESA will assist County staff in designing meeting schedule, discussion items, and related support materials for the purposes of gathering early and continuous input from SMP Advisory Groups throughout Phase II (Shoreline Inventory and Characterization and Consistency Review) planning process.

Phase 2 Deliverables & Target Completion Dates:

- Draft Shoreline Inventory and Characterization Report including county scale and reach scale inventory maps – Jun 2011
- Draft Consistency Review Report – Feb 2011
- Final Consistency Review Report – Jun 2011
- Final Shoreline Inventory and Characterization Report – Dec 2011

PHASE 3: PRELIMINARY SMP UPDATE ELEMENTS

The third phase of the project involves drafting policies and developing regulations to address documented threats to ecological functions so that the County can meet the requirement to achieve no net loss of shoreline ecological functions. Phase 3 is composed of four tasks.

Task 3.1: No Net Loss (NNL) Indicators

The goal of this task is to document shoreline conditions using agreed-upon ecological indicators, which can be linked to key shoreline management decisions and the restoration plan. The indicators will be identified in conjunction with the Inventory and Characterization Report (see Phase 2) and will be based on Ecology's NNL guidance and work previously funded by the National Fish and Wildlife Foundation. ESA will select indicators that facilitate analysis of shoreline conditions within the Puget Sound basin (i.e., not including WRIA 20 shorelines). ESA will consider Ecology's watershed scale characterization, pertinent channel migration zone, riparian vegetation, and other pertinent ecosystem function studies. As part of this task ESA will develop a comprehensive narrative about how the County could achieve no net loss through its SMP and associated restoration plan. The goal will be to show clear functional linkages between changes caused by future development and potential restoration.

By using the information from Phase 1 and 2, conferring with technical experts across Puget Sound, and testing ideas for no net loss with the public through focus group meetings, ESA will generate a reach scale and parcel scale assessment of existing shoreline conditions and a thorough understanding of how the County's planned land use and development will affect shoreline conditions over time. Using conceptual models ESA will link potential changes in shoreline ecology to specific SMP management decisions and tailor the policy and regulatory recommendations (in Task 3.2) to achieve the desired outcomes. The NNL work will support the development of policy and regulatory recommendations including shoreline environment designation recommendations in Phase 3.

The subtasks associated with this task can be categorized as technical subtasks and outreach subtasks as follows:

Technical subtasks:

- Defining key shoreline management/policy issues in Clallam County in consultation with County staff based on the visioning work and the preliminary results from the Phase 2 tasks.
- Refining, in consultation with advisory committees and key stakeholders, Ecology's initial list of NNL indicators to select the subset of indicators that are related to the key SMP management decisions in Clallam County.
- Mapping and documenting current shoreline conditions using ecological indicators at the river reach and nearshore drift cell scales to provide benchmarks for assessing future conditions.
- Preparing a summary of reach/drift cell-specific policy/regulatory/voluntary approaches for maintaining functions in consultation with standing advisory groups and other core stakeholders.
- Linking restoration actions to specific changes in ecological functions and establishing guidelines for identifying when/how specific restoration actions are triggered.
- Developing guidelines and templates documenting the indicators and their use in achieving NNL for use in Clallam County and other jurisdictions around Puget Sound.

Outreach subtasks:

- Participating in up to four meetings with County technical advisors and local/regional science experts to select indicators and determine issues affecting application of NNL indicators.
- Conducting four focus group meetings with shoreline property owners and business groups to test NNL approaches and obtain feedback on potential problems, utility of NNL measures, and related issues.
- Hosting one meeting with the cities of Sequim and Port Angeles to ensure framework is useful in the update of their SMPs.
- Developing outreach and educational materials for the public and other key audiences concerning NNL at key points in Phase III and future Phases IV and V.
- Presenting the results and outcomes of this task at two regional meetings to disseminate information and discuss NNL framework progress with other Puget Sound counties and cities. At least one of the regional meetings will be held in Clallam County.

Task 3.2: Preliminary Shoreline Master Program Elements

This task is designed to evaluate and develop shoreline management concepts, recommendations, and strategies consistent with the SMP Guidelines. ESA will identify areas with similar ecological conditions or uses and recommend appropriate shoreline environment designations (SEDs) that are consistent with WAC 173-26-211 environment designation criteria. The SED recommendations will be based on input from the visioning process, the shoreline inventory and analysis, the use analysis, NNL indicators and other pertinent input. ESA will prepare a written summary explaining the basis of the recommendations for County staff, Ecology and public review.

ESA will draft preliminary recommendations for updating the County's existing SMP goals, policies and regulations (including administrative provisions) consistent with the SMP Guidelines. Recommendations will be developed based on input from the visioning process, the shoreline inventory and analysis, the use analysis and other pertinent input. This includes recommendations for general goals, policies and regulations, as well as recommendations for goals, policies and regulations that are specific to each proposed environment designation, type of shoreline modification and type of use (residential, industrial, etc.).

ESA will design and facilitate four regional forums as part of this task to help citizens conceptualize and visualize the effects of update recommendation and strategies and obtain input on how well the preliminary elements mesh with the SMP vision. The forums are anticipated to occur in late-summer/fall 2011 to provide input to help guide drafting of preliminary shoreline master program elements. ESA will also design a web survey to solicit public input on key policy issues in the draft SMP.

Task 3.3: Integration Strategy Report

ESA will identify opportunities to integrate the updated SMP with the County's other regulatory programs, particularly focusing on:

- Integration between the Growth Management Act (GMA), Shoreline Management Act (SMA),
- Endangered Species Act compliance including the implications of the NMFS Biological Opinion, Federal National Flood Insurance Program,
- Washington State Department of Natural Resources requirements and standards for use of state aquatic lands
- Integration of WRIA 20 information into the SMP update.
- Other pertinent issues defined during Phases 1 and 2.

ESA will create a matrix of policies and provisions of the County land use and development policies and regulations to facilitate an analysis of conflicting and/or duplicative regulations. The analysis will identify regulatory gaps, overlaps and inconsistencies, and will recommend strategies to improve clarity, integration and comprehension of code language. It will also summarize pertinent scientific, technical and legal information to support the recommendations. The intent of this task is to improve integration of environmental policy and improve consistency and certainty in SMP implementation.

Task 3.4: Preliminary Cumulative Impacts Analysis (CIA)

ESA will prepare a report summarizing the potential cumulative effects of the SMP on shoreline ecological functions. The CIA will consider how the likely future use and development of the shoreline under the proposed SMP may impact shoreline functions and will assess the adequacy of the proposed SMP standards in preventing cumulative impacts that would result in a net loss of shoreline functions. The CIA will include reach-by-reach assessments and scenario-based impact analysis, showing how standards and restoration activities will avoid and offset expected impacts.

Phase 3 Assumptions:

- The NNL indicators work will be conducted according to the approach defined in the County grant agreement with EPA.
- NNL Indictors work will not include WRIA 20 shorelines.
- ESA will assist County staff in designing meeting schedule, discussion items, and related support materials for the purposes of gathering early and continuous input from SMP Advisory Committees throughout the Phase III (Preliminary SMP Update Elements) planning process.
- ESA will plan and attend two meetings with standing advisory committees to discuss policy issues and present the draft SMP. ESA will assist with the design and facilitation of these meetings.
- For the web survey in Tasks 3.2, ESA will develop a list of survey questions and work with County staff to make the survey available to the public. County staff will be responsible for collecting and interpreting survey responses with support from ESA.
- Draft SMP goals, policies and regulations will either be in redline/strikeout format using the existing County SMP or in a new format. The decision on which approach/format is best will be made as part of Task 3.2 and will involve County staff and ESA.
- ESA will assist County staff in soliciting input from advisory committee members and state land management agency staff on specific policy issues, including environment designations and will work with County staff to ensure that they have an opportunity to review and comment on draft products produced in Phase 3.
- The County will facilitate collaboration between ESA and ONRC concerning WRIA 20 to ensure that WRIA 20 information is incorporated appropriately into the draft SMP.
- There will be two rounds of revisions to the draft SED map in response to one consolidated set of County staff comments on the 1st Preliminary Draft SED map and secondly, in response to public/advisory committee input. After the 2nd Preliminary Draft SED Map is provided, the County will take responsibility for further edits to the SED map with guidance and support from ESA.
- ESA will attend one Planning Commission meeting to present the results of the Phase 3 work.

Phase 3 Deliverables & Target Completion Dates:

1. Refined list of ecological indicators applicable to Clallam County nearshore and freshwater systems – Jul 2011
2. Spatially explicit mapping of shoreline conditions using NNL indicators – Aug 2011
3. Memo and preliminary GIS dataset showing recommended SEDs – Sep 2011
4. Preliminary Draft goals and policies – Dec 2011
5. Preliminary Draft regulations – Feb 2012

6. Integration Strategy Report – Dec 2011
7. Preliminary Draft CIA based on reach-by-reach assessment of conditions – Mar 2012
8. Written guidance documenting NNL indicators and their use in achieving no net loss – Jun 2012
9. Educational “fact sheet” and sample maps geared toward explaining NNL to the lay public – Dec 2011

Phase 4 Final Draft SMP

Phase 4 involves preparing a shoreline restoration plan, revising the draft SMP and finalizing the CIA.

Task 4.1: Restoration Plan

ESA will prepare a report summarizing the shoreline restoration opportunities and priorities for the County, with the long-term goal of improving shoreline ecological functions. The restoration plan will describe:

- Degraded areas, impaired ecological functions, and sites with potential for ecological restoration.
- Goals and priorities for restoration of degraded areas and impaired ecological functions.
- Existing and ongoing restoration projects and programs.
- Additional projects needed to achieve restoration goals and implementation strategies, including identification of prospective funding.
- Times and benchmarks for achieving restoration goals.
- Mechanisms to ensure that restoration projects and programs will be implemented.

ESA will identify restoration priorities at the sub-basin or watershed scale using available information and make general recommendations about restoration implementation. County staff will be responsible for assembling information from various stakeholders and entities in the County on restoration programs and plans and will coordinate with advisory committee groups who can aid in completing this task. The restoration plan will include an implementation strategy with recommendations for coordination between groups doing restoration work and a list of specific prioritized restoration projects.

Task 4.2: Assemble Final SMP Draft

After receipt of comments on the Preliminary Draft SMP from County staff, Ecology, the public and other stakeholders, ESA will review the elements of the preliminary draft SMP and revise the draft goals, policies, regulations and administrative standards as necessary based on public input and input from advisory groups, County staff and Ecology. The refinements will also take into account the findings in the cumulative impacts analysis to assure that the SMP achieves no net loss of ecological functions.

ESA will assemble a complete Draft SMP. County will submit it to Ecology for review together with supporting documentation. Final SMP jurisdiction maps (digital) will be prepared by ESA. ESA will present the Final Draft SMP and associated jurisdictional maps to the public at 4 regional forums.

Task 4.3: No Net Loss Summary Report and Final CIA

ESA will prepare a report demonstrating how the SMP reflects the technical findings produced during Phases 1-3. The report will highlight the linkages between the results of the inventory and characterization, NNL assessment, use analysis, and restoration plan and the proposed SMP policies and regulations. The report will specifically describe the County’s approach for ensuring there is no net loss of shoreline ecological functions in accordance with the shoreline guidelines.

ESA will also refine the draft CIA based on any revisions to the preliminary Draft SMP in Task 4.2. The final CIA work will be integrated with the NNL summary report to meet the requirements of the SMA grant.

Phase 4 Assumptions:

- The County is responsible for revising the CIA if there are substantial changes to the draft SMP during the local adoption process that would require significant new analysis of cumulative impacts of such changes. Such further modifications to the CIA would be made by County staff with technical assistance from ESA.
- County is responsible for any final SMP formatting changes and will also track changes made to the final Draft SMP as directed by the Planning Commission and County Board.
- The County will facilitate collaboration between ESA and ONRC concerning WRIA 20 to ensure that WRIA 20 information is incorporated appropriately into the draft SMP.
- ESA will assist County staff in designing meeting schedule, discussion items, and related support materials for the purposes of gathering early and continuous input from SMP Advisory Committees throughout the Phase IV (Final Draft Shoreline Master Program Preparation) planning process.
- ESA will attend two meetings with advisory committees to obtain input comments on the draft restoration plan. ESA will assist with the design and facilitation of these meetings.
- Ecology will provide written comments on the Draft SMP prepared in Phase 3 in a timely manner so that ESA can address their comments when preparing the revised draft.

Phase 4 Deliverables & Target Completion Dates :

- Draft Shoreline Restoration Plan – Mar 2012
- Revised draft SMP – Apr 2012
- Revised CIA/ NNL Summary Report – May 2012

Phase 5 Local Adoption

Phase 5 involves local action to adopt the updated SMP including State Environmental Policy Act (SEPA) review and submittal of the locally adopted program to Ecology.

Task 5.1: SEPA Review

ESA will prepare a SEPA checklist on the updated SMP. This will include the cumulative impacts analysis as an appendix.

Task 5.2: 60-Day Notice of Intent to Adopt

NOTE: This task will be completed by the County and will not require support from ESA.

Task 5.3: Planning Commission (PC) Review

ESA will attend three meetings/work sessions with the Planning Commission to answer questions and present background information on the SMP update process and findings.

Task 5.4: Board of Commissioners (BOC) Review

ESA will attend three meetings/work sessions with Board of County Commissioners to answer questions and present background information on the SMP update process and findings.

Task 5.5: Responsiveness Summary

ESA will prepare a response to comments from the public hearing(s). County staff will compile and summarize the comments in a matrix format, and ESA will develop responses in consultation with County staff.

Task 5.6: Submit SMP to Ecology

NOTE: This task will be completed by the County and will not require support from ESA.

Task 5.7: SMP Submittal Checklist

NOTE: This task will be completed by the County and will not require support from ESA.

Phase 5 Assumptions:

- The SMP is not expected to result in significant adverse impacts.
- County staff will prepare materials and presentations to PC and BOC with advice from ESA.
- County is responsible for any final SMP formatting changes and will also track changes made to the final Draft SMP as directed by the Planning Commission and County Board.
- County will submit local adopted SMP to Ecology for review.

Phase 5 Deliverables & Target Completion Dates:

- Draft SEPA checklist – May 2012
- Responses to comments – to be determined based on hearing dates

COMPENSATION

1. a. **FIXED FEE FOR SERVICE:** For services rendered, the County shall pay to the Contractor a fixed fee of _____ DOLLARS (\$) for the completed work set forth in Attachment "A." Payments for completed tasks shall be made no more frequently than monthly; quarterly; semi-annually; annually; at completion of project; other (specify) _____ .

Each request for payment shall be supported by an invoice specifying the tasks completed up to the request for payment and the payment amount requested. In no event shall payment be sought in an amount which represents a percentage of the fee greater than the percentage of completed tasks.

OR

b. **HOURLY RATES:** For services rendered, the County shall compensate the Contractor at the following hourly rates:

<i>Name/Position</i>	<i>Hourly Rate</i>
Margaret Clancy, Project Manager	\$180.00
Jim Kramer, Senior Planner (sub consultant)	\$185.00
Jim Johannessen, Senior Geologist (sub consultant)	\$150.00
Carol MacIlroy, Planner (sub consultant)	\$130.00
Reema Shakra, Planner	\$92.00
Sharese Thompson, Planner	\$91.00
Adam Merrill, Scientist + Kisten Kisten	\$89.00
Ann Seiter, Scientist	\$70.00
Hop Nakai - GIS Tech <i>Michael Lelich, Aaron Raymond</i>	\$123.00 - <i>Allen Bradley</i>
Admin <i>Suzen Bjork, Spencer Easton</i>	\$103.00 -
Graphics <i>Julie Bayer</i>	\$95.00

Payments for completed tasks shall be made no more frequently than monthly; quarterly; semi-annually; annually; at completion of project; other (specify) _____ .

Each request for payment shall be supported by an invoice specifying: the name/position of the Contractor's employee if two or more are identified above; number of hours worked; completed tasks for which compensation is sought; estimated percentage of task completion; payment amount requested; other (specify) _____ .

In no event shall Contractor be compensated in excess of FIVE HUNDRED, NINETY NINE THOUSAND, NINE HUNDRED AND THIRTY DOLLARS (\$599,930) for the completed work set forth in Attachment "A."

2. AND

a. The compensation set forth herein includes, without limitation: labor, materials, equipment, travel, telephone, computer, copiers, and the like.

OR

b. The County shall reimburse the Contractor for actual expenses incurred for travel, telephone, copiers and computer. Reimbursement for airfare, mileage, meals, and/or accommodations shall be at the same rate as that applicable to county employees traveling on county business.

OR

c. Other (specify):