

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2016-354

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
E. Douglas Originator:	ED	11/8/16	<div style="text-align: center;"> <p>RECEIVED</p> <p>NOV 15 2016</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	11/22/16	Finance
G. Stoyka Division Head:	HM	11/8/16		11/22/16	Council
J. Hutchings Dept. Head:	JH	11/9/16			
D. Gibson Prosecutor:	DG	11/09/16			
M Caldwell Purchasing/Budget:	mdc	11/8/16			
J. Louws Executive:	JLS	11.14.16			
TITLE OF DOCUMENT: <p><i>Amendment to Grant Agreement Between Washington State Department of Health and Whatcom County for Pollution Identification and Correction (PIC) Program</i></p>					
ATTACHMENTS: <ol style="list-style-type: none"> Memo Contract Information Sheet Grant Amendment and Exhibits 					
SEPA review required? () Yes (X) NO SEPA review completed? () Yes (X) NO			Should Clerk schedule a hearing? () Yes (X) NO Requested Date:		
SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: <i>(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)</i> <p>The purpose of this amendment is to extend the period of the grant agreement and increase the budget by \$155,000. The additional time and funds will support six months of continued fecal coliform pollution reduction work in PIC focus areas and will address Whatcom Clean Water Program data management needs for approximately one year.</p>					
COMMITTEE ACTION:			COUNCIL ACTION:		
Related County Contract #:		Related File Numbers:		Ordinance or Resolution Number:	
Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council .					

JON HUTCHINGS
Director



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www.whatcomcounty.us

MEMORANDUM

TO: The Honorable Flood Control Zone District Board of Supervisors
The Honorable Jack Louws, Whatcom County Executive

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Gary Stoyka, Natural Resources Manager *GS*
Erika Douglas, Senior Planner *ED*

RE: Amendment to Grant Agreement # N20989 for Whatcom County PIC Program

DATE: November 8, 2016

Please find enclosed for your review and signature two (2) originals of an amendment to grant agreement # N20989 between the State of Washington Department of Health and Whatcom County to implement the Pollution Identification and Correction (PIC) Program.

Requested Action

Public Works respectfully requests that the County Executive approve and sign the attached grant amendment.

Background and Purpose

In the three Whatcom County Shellfish Protection Districts, the majority of creeks and tributaries are not meeting water quality standards for fecal coliform bacteria. Fecal bacteria pollution is similarly reflected in the marine waters where there are year-round and seasonal shellfish harvesting closures areas. To address these pollution problems, the Whatcom County PIC program was enhanced in 2014 through a partnership with the Whatcom Conservation District. During the first two years of the grant, the Department of Health provided \$300,000 to support the enhanced program through additional staff for non-dairy agriculture technical assistance, PIC coordination and community outreach, and compliance of the Critical Areas Ordinance.

The purpose of this amendment is to extend the period of the grant agreement and increase the budget by \$155,000. The additional time and funds will support six months of continued fecal coliform pollution reduction work in PIC focus areas and provide funding for a data manager at the Whatcom Conservation District for approximately one year.

Funding Amount and Source

This amendment to the grant agreement with the Washington State Department of Health provides an additional \$155,000 for a total amended budget of \$455,000 to complete tasks as outlined in the amended scope of work. Please contact Gary Stoyka at extension 6218 or Erika Douglas at 6294 if you have any questions or concerns regarding the terms of this amendment.

Enclosures

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.

201411029-2

Originating Department:	Public Works
Program/Project: (i.e. Dept. Division and Project)	Natural Resources/ PIC Program
Contract or Grant Administrator:	Erika Douglas
Contractor's / Agency Name:	Washington State Department of Health
<p>Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: <u>201411029</u></p>	
<p>Does contract require Council Approval? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If No, include WCC: _____</p> <p align="right">(see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</p>	
<p>Is this a grant agreement?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, grantor agency contract number(s): <u>N20989</u> CFDA#: <u>66.123</u></p>	
<p>Is this contract grant funded?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, Whatcom County grant contract number(s): _____</p>	
<p>Is this contract the result of a RFP or Bid process?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, RFP and Bid number(s): _____ Contract Cost Center: <u>813002</u></p>	
<p>Is this agreement excluded from E-Verify? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If no, include Attachment D Contractor Declaration form.</p>	
<p>If YES, indicate exclusion(s) below:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p><input type="checkbox"/> Professional services agreement for certified/licensed professional.</p> <p><input type="checkbox"/> Contract work is for less than \$100,000.</p> <p><input type="checkbox"/> Contract work is for less than 120 days.</p> <p><input checked="" type="checkbox"/> Interlocal Agreement (between Governments).</p> </div> <div style="width: 48%;"> <p><input type="checkbox"/> Contract for Commercial off the shelf items (COTS).</p> <p><input type="checkbox"/> Work related subcontract less than \$25,000.</p> <p><input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.</p> </div> </div>	
<p>Contract Amount:(sum of original contract amount and any prior amendments):</p> <p>\$ <u>300,000</u></p> <p>This Amendment Amount:</p> <p>\$ <u>155,000</u></p> <p>Total Amended Amount:</p> <p>\$ <u>455,000</u></p>	<p>Contracts that require Council Approval (incl. agenda bill & memo)</p> <ul style="list-style-type: none"> • Professional Services Agreement above \$20,000. • Bid is more than \$50,000. • Professional Service Contract Amendments that have an increase greater than \$20,000 and other contracts with a cumulative increase greater than \$50,000. <p>RENEWALS: Council approval is not required when exercising an option to renew that is provided in the original contract.</p>
<p>Summary of Scope: The purpose of this amendment is to extend the period of the grant agreement and increase the budget by \$155,000. The additional time and funds will support six months of continued fecal coliform pollution reduction work in PIC focus areas and will address Whatcom Clean Water Program data management needs for approximately one year.</p>	
Term of Contract:	Expiration Date: <u>December 31, 2017</u>

Contract Routing:

1. Prepared by: <u>ED</u>	Date: <u>11/8/16</u>
2. Attorney signoff: <u>Daniel L. Gibson</u>	Date: <u>11/08/16</u>
3. AS Finance reviewed: <u>mdc BB</u>	Date: <u>11/8/16</u>
4. IT reviewed (if IT related): _____	Date: _____
5. Contractor signed: _____	Date: _____
6. Submitted to Exec.: _____	Date: _____
7. Council approved (if necessary): _____	Date: _____
8. Executive signed: _____	Date: _____
9. Original to Council: _____	Date: _____

COUNTY ORIGINAL



CONTRACT AMENDMENT

1. NAME OF CONTRACTOR Whatcom County Public Works	2. CONTRACT NUMBER N20989
1a. ADDRESS OF CONTRACTOR (STREET) 322 North Commercial, Suite 110	2a. AMENDMENT NUMBER 2
1b. CITY, STATE, ZIP CODE Bellingham, WA 98225	
3. <input checked="" type="checkbox"/> THIS ITEM APPLIES ONLY TO BILATERAL AMENDMENTS. The Contract identified herein, including any previous amendments thereto, is hereby amended as set forth in Item 5 below by mutual consent of all parties hereto.	
4. <input type="checkbox"/> THIS ITEM APPLIES ONLY TO UNILATERAL AMENDMENTS. The Contract identified herein, including any previous amendments thereto, is hereby unilaterally amended as set forth in Item 5 below pursuant to that changes and modifications clause as contained therein.	
5. DESCRIPTION OF AMENDMENT: 5a. Statement of Work: Exhibit A-1 is revised in accordance with Exhibit A-2, attached hereto and incorporated herein. 5b. Consideration: This amendment increase the Contract Consideration by \$155,000, therefore, the revised maximum consideration of this contract and all amendments shall not exceed \$455,000 Source of Funds for this Amendment: (FED) <u>155,000</u> ; (ST) <u>\$-0-</u> ; (Other) <u>\$-0-</u> ; Total <u>\$155,000</u> Contractor agrees to comply with applicable rules and regulations associated with these federal funds. 5d. Period of Performance: is extended through December 31, 2017 . 5e. The Effective Date of this Amendment: is Date of Execution .	
6. All other terms and conditions of the original contract and any subsequent amendments thereto remain in full force and effect.	
7. <input type="checkbox"/> This is a unilateral amendment. Signature of contractor is not required below. <input checked="" type="checkbox"/> Contractor hereby acknowledges and accepts the terms and conditions of this amendment. Signature is required below.	
8. CONTRACTOR SIGNATURE (also, please print/type your name) <i>(see page 1a attached)</i>	DATE
9. DOH CONTRACTING OFFICER SIGNATURE	DATE

This document has been approved as to form only by the Assistant Attorney General.

Recommended for Approval:

Approved as to form:

Approved:

Accepted for Whatcom County

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this _____ day of _____, 20__, before me personally appeared Jack Louws, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington, residing at _____
_____. My commission expires _____

Exhibit A-2
Subrecipient Statement of Work
DOH Contract Number N20989-2
Whatcom County

	Item Description	Federal Funding Source #1
1	Subrecipient Name (Exactly as listed in DUNS): www.SAM.gov Click on the web address above and then click on "search records" tab and enter the sub-recipient's name in the "Quick Search" box, then press enter.	Whatcom County Public Works
2	Subrecipient DUNS Number: www.SAM.gov A 9 digit number that can be found on the web address above.	06-004-9641
3	Federal Award Identification Number (FAIN): If a FAIN number is not specifically listed, use "Grant Number" listed on the notice of award.	PC-00J88801
4	Federal Award Date: Date the federal grant award was issued or the date in the "Date of Award" section on the Federal Notice of Award. (this is not the project or budget period).	9/25/2015
5	Start and End Date of the DOH contract: Found in the "Period of Performance" section of the contract. (If the start date in the period of performance section is listed as the date of execution (DOE) then refer to the signature page for the date of the last party to sign).	
6	Amount of Federal Funds Obligated by this action: Increase or decrease in federal funds for this subaward agreement only.	\$155,000
7	Total Amount of Federal Funds Obligated to the subrecipient by DOH for this subaward (per funding source): Total amount of all federal funds given to the subrecipient for each federal funding source identified.	\$455,000
8	Total Amount of the Federal Award to DOH: ADDs.net Total of the federal funds awarded to DOH for each federal funding source identified. For total funds awarded to DOH go to the Grants Status Report available by clicking on the ADDs.net link above.	\$5,165,000
9	Project description as listed on the FFATA form: This can be found on the FFATA form	
10	Name of Federal awarding agency: List both the federal agency and the awarding division (i.e. HHS/Centers for Disease Control and Prevention) Found in the Notice of Award.	EPA/Region 10/Office of Water and Watersheds
11	Name of the pass-through entity: For grants awarded directly from the federal government to DOH, list "Washington State Department of Health". For grants sub-awarded to DOH by other state agencies, list the agency's name.	Washington State Department of Health
12	Contact information for awarding official – Statement of Work: Name of DOH Program's Contract Manager(s) or project coordinator (this is not the DOH Contract Specialist).	Megan Schell
13	Contact information for awarding official – General Contact: dohcon.mgmt@doh.wa.gov Use the email address listed above.	
14	CFDA Number: Catalog of Federal Domestic Assistance (CFDA) -- a five digit number (i.e. 55.555) found on the notice of award.	66.123

Exhibit A-2
Subrecipient Statement of Work
DOH Contract Number N20989-2
Whatcom County

15	CFDA Name: www.cfda.gov Click on the web address above, then enter the 5-digit CFDA number on the right hand side in the "key word or program number" box and hit enter or "search".	33.66.12
16	Is the award Research & Development? Usually "no". Check the grant application or notice of award to see if the award is for research and development.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
17	The limiting indirect cost rate for the Federal award, if any: Usually "N.A.", however DOH does have a handful of grants which do have this limitation. If there is a limitation, it will be specified in the award document. Check the grant application or notice of award for an approved indirect rate.	N.A.
18	Certifications and Assurances – all requirements imposed on the subrecipient by the federal awarding agency: The contract boilerplate covers all standard certifications and assurances.	
19	Are there any additional requirements imposed by the pass through entity (DOH) to meet its own responsibilities to the awarding agency: If applicable, this is identified by the DOH program staff writing the contract. This can also be found in the "Statement of Work" section of the contract.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
20	Indirect Rate: DOH Grant Website Does the subrecipient have an approved indirect rate? If your contract allows indirects, you must use the subrecipient's approved indirect rate. Indirect rates approved by DOH are posted on the DOH Grant website link above. Click on Subrecipient the Indirect Rates link at the bottom and look for the entity's name. If the entity is using the 10% De Minimis indirect rate, this will be listed in the attached document when you click on the entity's information. If you are not sure, ask the entity if they have an approved indirect rate.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>
21	Access to Subgrantee's accounting records: All subrecipients are required to make their accounting records available and accessible to the awarding agency. You can find this requirement in the "Records Maintenance" section of the contract.	
22	Closeout Requirement: (1) submit all final billings within 60 days of the end of the contract (This is required per standard contract language) (2) submit all required program reports and deliverables within 60 days (This is required per standard contract language) (3) dispose of property purchased with subaward funds and dispose of or return government-furnished property no longer used for subaward related activities (If applicable DOH must be contacted for disposal requirements) (4) additional DOH program specific contract closeout requirements: (If applicable, see SOW for additional closeout requirements)	

AMENDMENT PURPOSE: The purpose of this amendment is to extend the period of the grant agreement and increase the budget by \$155,000. The additional time and funds will support six months of continued fecal coliform pollution reduction work in PIC focus areas and will address Whatcom Clean Water Program data management needs for approximately one year.

Exhibit A-2
Subrecipient Statement of Work
DOH Contract Number N20989-2
Whatcom County

PURPOSE STATEMENT: In the three Whatcom County Shellfish Protection Districts, the majority of creeks and tributaries are not meeting water quality standards for fecal coliform bacteria. Fecal bacteria pollution is similarly reflected in the marine waters where there are year-round and seasonal shellfish harvesting closures areas. To address these pollution problems, the Department of Health will provide **\$455,000** to Whatcom County to support the county's Pollution Identification and Correction (PIC) program. Whatcom County Public Works (WCPW) and Whatcom Conservation District (WCD) will work directly with landowners with livestock to raise awareness of water quality issues and provide technical and financial assistance to facilitate voluntary landowner actions to correct livestock-related fecal pollution sources. As a component of the larger Whatcom Clean Water Program, this project will maintain established partnerships and coordination with tribal and other partner agencies. The project will formalize response and follow-up procedures for confirmed bacteria sources, including enforcement of regulations to ensure that corrections are made. When landowners do not voluntarily correct pollution sources, WCPW will work with the relevant regulatory department or agency to ensure implementation of a compliance/enforcement backstop. WCPW will coordinate regulatory referrals to Whatcom County Health Department (WCHD) for on-site sewage systems (OSS); Whatcom County Planning & Development Services (PDS) for Critical Areas Ordinance violations; Washington Department of Agriculture for dairies; and Washington Department of Ecology for water quality violations not involving a county-regulated critical area.

Work will initially be prioritized in focus areas of the Drayton Harbor and Portage Bay drainages. In the Drayton Harbor watershed, fecal pollution reduction work will be carried out in the lower Dakota, Loomis Trail, and Brown Malloy drainages. WCPW will consult with the Portage Bay Shellfish Protection District Advisory Committee and partners of the Whatcom Clean Water Program to select a priority drainage in the Nooksack watershed. County departments will coordinate efforts with ongoing Whatcom Clean Water Program work and focus areas. As county-led PIC work is completed in priority drainages, the program will move into other priority coastal drainages as identified in the county's annual water quality review. Over the two-year period of this project, WCPW will work with partners to create a plan to transition from a state led fecal pollution reduction program to a locally led, sustainable PIC program.

Period of Performance:

Subject to its other provisions, the period of performance under this amendment shall be from **Date of Execution through December 31, 2017** unless sooner terminated as provided herein.

Cost for this project period will not exceed \$455,000.

Exhibit A-2
Subrecipient Statement of Work
DOH Contract Number N20989-2
Whatcom County

Task	Task/Activity Description	Deliverables/Outcomes	Due Date/Time Frame	Payment Information and/or Amount
1	<p>Project Coordination/Data Management, Tracking and Reporting</p> <p>Whatcom County Public Works (WCPW) will create a 0.5 FTE position to assist with conducting reconnaissance studies of focus areas, contacting landowners, providing notifications and referrals to other departments and agencies, community outreach efforts, and tracking the progress of follow up actions.</p> <p>Within focus areas, WCPW will use water quality monitoring data generated by county and partner sampling efforts, pictometry and other satellite imagery, drainage and topographic data and windshield reconnaissance to identify and prioritize parcels with potentially polluting OSS and/or agricultural operations in need of individual landowner contact. WCPW will offer rebates and incentives to landowners participating in outreach programs to assist with implementation of best management practices.</p> <p>WCPW will summarize progress through maps and quarterly reports submitted to the Department of Health Whatcom Clean Water Program (WCWP) Coordinator and DOH contract manager, and FEATS reports submitted semi-annually. The reports will include:</p> <ul style="list-style-type: none"> • number and location of pollution hotspots • number of letters sent and landowner response • number and location of parcels evaluated, identifying evaluating agency/department • number, location and type of pollution sources identified • number, location and type of 	<p>a) Quarterly progress reports to DOH/WCWP</p> <p>b) Semi-annual federal FEATS and annual Women/Minority-Owned Business Reports.</p> <p>FEATS reports due by October 15 for work completed from April 1 – September 30 and by April 15 for work completed from October 1 through March 31.</p> <p>Women/Minority Owned Business Reports (MBE/WBE) reports due annually by October 15, if applicable.</p> <p>c) Consult with National Estuary Program Quality Assurance Coordinator to complete and submit Quality Assurance Project Plan (QAPP), revision of existing QAPP or QAPP waiver. Approved QAPPs may require a final report for the work covered under the QAPP.</p> <p><u>Work may not begin until Quality Assurance Project Plans or waivers are completed and approved.</u></p> <p>d) Maps and/or GIS data layers and/or database that characterize priority</p> <p>e) Transition Plan</p> <p>f) System to track and report on WCPW/WCD contacts, landowner responses, and follow up</p>	<p>a) Quarterly reports due 15th of January, April, July and October.</p> <p>b) FEATS Reports: April 15, 2015 October 15, 2015 April 15, 2016 October 15, 2016 April 15, 2017 October 15, 2017 and final summary report upon contract completion</p> <p>Women/Minority Owned Business Reports: annually October 15 and upon contract completion</p> <p>c) QAPP by December 31, 2014</p> <p>QAPP or QAPP Waiver due within 30 days after addendum start date.</p> <p>If applicable, Final Report as outlined in approved QAPP is due 30 days prior to end of contract.</p> <p>d) March 31, 2015</p> <p>e) November 15, 2016</p> <p>f) Ongoing Reporting schedule outlined in task 1.a.</p>	<p>Reimbursement up to \$76,250 based on actual costs.</p>

Exhibit A-2
Subrecipient Statement of Work
DOH Contract Number N20989-2
Whatcom County

	<p>pollution sources voluntarily corrected;</p> <ul style="list-style-type: none"> • number, type and cost of rebates and incentives provided • number, location and type of pollution source referred for enforcement to Whatcom County Planning and Development Services (PDS) for a Critical Areas Ordinance violation or to the Department of Ecology or Washington State Department of Agriculture (WSDA). • number, location, and type of pollution sources corrected through enforcement. • number, location and type of pollution sources unresolved with description of status/progress in compliance process. • number and description of community outreach events, materials and number of participants <p>WCPW will work with partners to create a plan to transition from a state led fecal pollution reduction program to a locally led, sustainable PIC program.</p>	<p>activities</p> <p>g) monthly water quality summaries posted to Whatcom County Public Works website</p> <p>h) Submit invoices quarterly</p>	<p>g) monthly</p> <p>h) quarterly</p>	
2	<p><u>Landowner Contact to Correct Agricultural Sources</u></p> <p>WCPW will develop an interlocal agreement with WCD to offer and deliver pollution risk assessment and technical and financial assistance as needed to properties with agricultural activities. After WCPW identifies parcels with potentially polluting onsite sewage systems and/or agricultural operations, WCPW will generate a property list. The list will prioritize parcels based on proximity to creeks and ditches, water quality hot spots, and status of OSS evaluation and agricultural activities (dairy and non-dairy). For parcels with</p>	<p>a) Interlocal agreement with WCD</p> <p>b) 75 landowners with livestock or manure use in the Drayton Harbor focus area and 75 landowners in the Portage Bay focus areas will be contacted each year of the two year project (375 total contacts)</p> <p>c) 50% of contacted landowners will receive site risk assessments, technical assistance and financial assistance as funding allows (185 total).</p>	<p>a) Interlocal agreement completed by December 31, 2014</p> <p>b) Landowner contacts initiated by January 31, 2015. Landowner contacts completed by June 30, 2017</p> <p>c) Technical assistance initiated by March 31, 2015 Technical assistance completed by June 30, 2017</p>	<p>Reimbursement up to \$225,000 based on actual costs.</p>

Exhibit A-2
Subrecipient Statement of Work
DOH Contract Number N20989-2
Whatcom County

<p>suspected or confirmed agricultural operations, WCPW will send a letter to landowners providing background and a timeline for contacting the WCD to schedule technical assistance in evaluating non-dairy parcels for bacteria pollution sources. Within one week of the WCPW letter, WCD will follow up with landowners through phone calls and door knocking to offer a pollution risk assessment. WCD will offer and provide to willing landowners technical and financial assistance to implement best management practices (BMPs) to correct identified pollution problems and to complete a farm plan checklist to meet the designated timelines. WCPW will provide supplies, such as temporary electric fencing, to the WCD to help landowners install temporary fixes for pollution sources needing immediate attention. WCD will work with willing landowners to develop and implement long-term pollution prevention through a farm plan. WCPW will receive monthly updates from WCD on parcel contacts and corrective action progress made voluntarily by landowners. Landowners referred to WCD by WCPW who are not actively working with WCD to identify and remediate livestock pollution problems within two months of the initial referral will be contacted by WCPW through a letter or door knocking to remind the landowner of regulations. WCPW will offer these landowners a final opportunity to participate in the voluntary program provided by WCD. If there is no response within two weeks and a non-dairy livestock or manure application related pollution violation has become apparent (e.g. water quality data, field observation, etc.), WCPW will refer the property to the</p>	<p>d) Implementation of BMPs within 6 months (may be delayed up to 3 months depending on seasonal or design requirements of some BMPs).</p> <p>e) Egregious pollution problems addressed immediately with temporary emergency actions.</p>	<p>d & e) BMPs and temporary emergency actions initiated by June 30, 2015</p>	
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Exhibit A-2
Subrecipient Statement of Work
DOH Contract Number N20989-2
Whatcom County

	appropriate regulatory agency (see Task 3):			
3	<p><u>Violation Management</u> PDS will create a .5 FTE Planner1/Code Compliance position to carry out compliance actions based on WCPW referrals.</p> <p>WCPW will refer uncooperative landowners who choose not to voluntarily correct the pollution source within the specified timeline to the appropriate department of agency for compliance/enforcement action. Departments and agencies include:</p> <ul style="list-style-type: none"> • PDS - After three contact attempts to encourage cooperative compliance on a property found to be in violation of the Critical Areas Ordinance (CAO) and with documented water quality impacts, WCPW will refer the property to PDS. PDS will initiate contact with the landowner to inform the landowner of the CAO regulations and the observed violations and water quality impacts. PDS will provide a two-week period for the landowner to contact PDS and initiate remedial actions. Remedial action may include requiring landowners to move agricultural activities out of the critical area buffer or implement a temporary fix to protect water quality. If the landowner chooses to continue agricultural activities within the critical area buffer, PDS will require the landowner to develop and implement a certified farm plan according to a prescribed timeline. If the landowner does not contact PDS within two weeks, the CAO enforcement and penalties process will be 	<p>Quarterly and final reports summarizing compliance actions and corrected discharges/violations will include: number of contacts, description and date of enforcement, and emergency actions taken.</p> <p>90% of compliance actions will result in remedial actions to address bacteria sources entering water bodies.</p> <p>100% of parcels with completed compliance actions will have a farm plan certified as implemented and filed with the county by the landowner.</p>	<p>Reporting schedule outlined in task 1.</p> <p>Compliance actions will be initiated by June 1, 2015.</p>	<p>Reimbursement up to \$72,750 based on actual costs.</p>

Exhibit A-2
Subrecipient Statement of Work
DOH Contract Number N20989-2
Whatcom County

	<p>initiated (WCC 16.16.285)</p> <ul style="list-style-type: none"> • Washington Department of Ecology - for non-dairy livestock related water quality violations not involving a county-regulated critical area. • Washington Department of Agriculture - for water quality concerns from dairies. <p>Whatcom County Health Department (WCHD) - for out-of-date OSS inspections; WCHD will follow its standard process and timeline for OSS evaluations in Marine Recovery Areas.</p>			
4	<p><u>Adaptive Management</u></p> <p>WCPW will track progress through analyzing workshop evaluations, coordinating with county departments and state agencies to review county and WCD landowner contacts and results, and reviewing county compliance referrals. The county will also track progress through use of its PIC flow chart, which describes the process for landowner contacts and corrective actions. WCPW will evaluate water quality patterns through routine and focus area monitoring.</p> <p>Within six months of the start of the project, WCPW, WCD, PDS, and WCHD will meet with Department of Health and other state agencies and tribes to assess progress. If deficiencies are found, WCPW will work with partners to improve the project protocols with existing resources and will work with partners to seek further resources to fill gaps if needed.</p> <ul style="list-style-type: none"> • A program evaluation will track long-term BMP maintenance, continued outreach in focus areas, seasonal reminders of activities and measures to 	<p>a) Meeting with identified WCWP partners to assess resource allocation (staff and otherwise) and effectiveness of processes. Summary report of recommended changes.</p> <p>b) Report of program evaluation with recommendations.</p>	<p>a) July 1, 2015</p> <p>b) June 30, 2017</p>	<p>Reimbursement up to \$1,000 based on actual costs.</p>

Exhibit A-2
Subrecipient Statement of Work
DOH Contract Number N20989-2
Whatcom County

	reduce bacterial pollution, and feedback from landowners.			
5	Data Management WCPW will develop an interlocal agreement with WCD to hire a data coordinator to fulfill data management and analysis needs of WCWP partners. The data coordinator will develop database management options to facilitate multi-agency data compilation, data analysis, data accessibility, and data display. Options will build upon the WRIA1 Water Quality Database created by Lummi Natural Resources. The WCWP Data Team will review and prioritize options. The data coordinator will implement prioritized option(s).	a) Interlocal agreement with WCD. b) Database options prepared for WCWP Data Team and included in quarterly progress report. c) Priority database options documented by WCWP Data Team and included in quarterly progress report. d) Begin implementation of priority options by June 30, 2017. Progress included in quarterly and final reports. Active database with water quality results from all WCWP partners by December 2017.	a) Interlocal agreement completed by January 15, 2017. Data Coordinator hired and beginning work by January 31, 2017 b) Database options developed by April 30, 2017. c) Database options prioritized by WCWP Data Team by May 30, 2016. d) Begin implementation of priority options by June 30, 2017. Active database by December 31, 2017	Reimbursement up to \$80,000 based on actual costs.

Budget	Amount
Salaries	\$90,670
Benefits	\$59,330
Travel and training	\$0
Laboratory Services	\$0
Supplies	\$0
Onsite sewage system inspection incentives	\$25,000
Contracts	\$280,000
Subtotal	\$455,000
Indirect 25%	\$0
Total	\$455,000

*Voluntary County Match s: \$251,000 (0.25 FTE WCPW, 60% 0.5 FTE WCPW for two years, and 1.0 FTE Health for 18 months)

Exhibit A-2
Subrecipient Statement of Work
DOH Contract Number N20989-2
Whatcom County