

Jefferson County
Board of Commissioners
Agenda Request

To: Board of Commissioners
Mark McCauley, County Administrator

From: Monte Reinders, P.E., Public Works Director/County Engineer 

Agenda Date: August 8, 2022

Subject: Supplement #1, Environmental Science Associates (ESA)
Port Hadlock Wastewater Project

Statement of Issue: Execution of Supplement #1 to the Professional Services Agreement with Environmental Science Associates (ESA) to complete environmental permitting for the Port Hadlock Wastewater project.

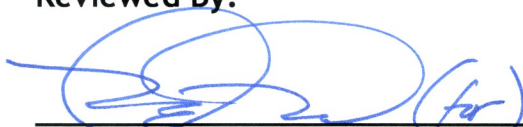
Analysis/Strategic Goals/Pro's & Con's: Supplement #1 adds time and budget to the existing Professional Services Agreement needed to complete work associated with SEPA and local permit applications (already submitted to DCD) and for work to comply with Executive Order 21-02, Cultural and Historic Resources, which is already underway.

Fiscal Impact/Cost Benefit Analysis: Supplement #1 is for \$68,742. Funding for this work comes from County ARPA revenue that has been dedicated to this project.

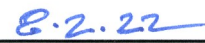
Recommendation: Public Works recommends that the Board sign Supplement #1 where indicated and return all three (3) originals to Public Works for further processing.

Department Contact: Monte Reinders, Public Works Director x242.

Reviewed By:



Mark McCauley, County Administrator



Date

Supplemental Agreement Number: #1	Organization, Address, and Phone: Environmental Science Associates 5309 Shilshole Avenue NW, Suite 200 Seattle, WA 98107 (206) 576-3755	
Agreement Number: N/A		
Project Number: 405 1693-6	Execution Date: 6/21/2021	Completion Date: 12/31/2022
Project Title: Port Hadlock Wastewater Project	New Maximum Amount Payable: \$114,533.50	
Description of Work: Environmental Permitting		

SUPPLEMENTAL AGREEMENT

The Local Agency of Jefferson County hereby amends the agreement with Environmental Science Associates (ESA) ("the Agreement"), executed on June 21, 2021.

All provisions in the Agreement remain in effect, except as expressly modified by this Supplemental Agreement.

The changes to the Agreement are described as follows:

I.

Scope of Services is hereby changed to read: Additional work necessary to complete state and local permitting as well work needed to comply with Executive Order 21-02, Cultural and Historic Resources.

II.

Time for Performance is hereby changed to read: This work is anticipated to be completed no later than 12/31/2022, but incidental follow up work may extend out as far as 6/30/2023.

III.

Payment is hereby changed to read: Additional payment not to exceed \$68,742.50 bringing contract total to \$114,533.50 as described in Exhibit B, attached.

This Supplemental Agreement shall be effective upon execution by both parties. Work performed consistent with the Agreement prior to execution of this Supplemental Agreement is hereby ratified.

In witness whereof, the parties hereto have executed this Supplemental Agreement #1 as shown below.

(Consultant Firm Name)

COUNTY OF JEFFERSON
BOARD OF COMMISSIONERS

Environmental Science Associates (ESA)
Consultant's Name

Kate Dean, District 1 Date


Stacy Bumback (Aug 1, 2022 13:07 PDT)
Consultant's Signature

Heidi Eisenhour, District 2 Date

08/01/22
Date

Greg Brotherton, District 3 Date

Approved as to form only:

PRE-APPROVED CONTRACT FORM
Philip C. Hunsucker Date
Chief Civil Deputy Prosecuting Attorney


Monte Reinders, P.E. 8.2.22
Public Works Director/County Engineer Date

EXHIBIT "A"

Jefferson County Department of Public Works Port Hadlock Wastewater System Additional Documentation, Permitting, and Cultural Resources

Project Description. The scope of work includes additional on-going assistance with the finalization of the environmental documentation, permitting, and cultural resources assistance for a new 0.25 MGD wastewater treatment plant, effluent reuse (infiltration) field, and influent pipeline. The treatment plant will be designed in accordance with the *Pt. Hadlock Wastewater Treatment System Facility Plan, September 2008*.

The scope of work includes the following additional environmental documentation, permitting, and cultural resources-related tasks:

Project Management:

- **Progress Reporting** - Prepare monthly project status reports that provide support documentation for the invoices and compare expenditures with task budgets. Documentation will include details of expenditures on each task and will show the hours worked by project personnel and other direct expenses related to the task. Reports will be submitted with monthly invoices.
- **Quality Assurance/Quality Control** - Quality Assurance/Quality Control (QA/QC) will provide an independent review of all major submittal products. All QA/QC comments will be incorporated into the submittals or will be documented as to why comments are not included. The project manager will coordinate all of the County comments.

SEPA Compliance

ESA planned to revise and update the project-level SEPA Environmental Checklist that was prepared in October 2013 to reflect the current project, updated regulations, and project information. Additional effort was needed to fully include the details associated with the collection system, critical areas, and mitigation measures into the document.

Permitting

A variety of permits are required to construct the WWTP, influent pipeline, reuse field, and collection system. An initial list of permits was identified and previously scoped. A pre-app meeting was held with Jefferson County Department of Community Development (DCD). Following that meeting, it was determined that additional critical areas may be impacted, and a Floodplain Development Permit would be needed. Floodplain impacts and mitigation, as well as a critical areas stewardship plan (CASP) were incorporated into the Critical Areas Report.

ESA biologists originally scoped a site visit to confirm wetland boundaries and ratings of potentially impacted wetland and their buffers. Additional field effort was needed to verify the boundaries, and to confirm the wetland boundary at the potential fill location for the influent pipeline. Revisions to update the 2013 Critical Areas Report and incorporate Jefferson County code updates was more extensive than originally envisioned. Code changes resulted in increased

buffer widths, which resulted in project design changes to reduce wetland buffer impacts, and additional coordination to determine appropriate mitigation measures.

State and Local. Permits will be prepared and submitted on behalf of Jefferson County Public Works.

The following have been added to the list anticipated list of permits and approvals:

- Critical Areas Stewardship Plan (CASP)
- Floodplain Development Permit – Jefferson County

Federal. Direct wetland impacts have been avoided as part of the current design, thereby eliminating the need for federal permits. It is our understanding that federal funding will be sought for some portion of the overall project. A Biological Assessment for Section 7 of the Endangered Species Act was prepared in 2013, and will be reviewed and updated as needed to comply with current regulations. This effort has been previously scoped.

ESA will prepare the required NEPA crosscutter review documentation associated with the funding requirements.

Executive Order 21-02

Due to the use of state capital funds, consultation with the State Historic Preservation Officer (SHPO/DAHP) and Affected Tribal governments is required in compliance with Executive Order 21-02 (EO 21-02). ESA was previously scoped for, and provided assistance with, the preparation of EO 21-02 consultation materials transmitted by the County; ESA prepared SHPO and Tribal correspondence that was transmitted by Jefferson County Public Works as the EO 21-02 consulting agency, as delegated by the Washington State Department of Commerce (Commerce). Due to the emergent nature of the project, ESA provided additional (“beyond scope”) cultural resources services at the request and direction of Jefferson County Public Works. This scope does not include completion of historic property inventory forms (HPIs), archaeological site testing, archaeological data recovery, archaeological monitoring, or artifact curation preparation. Should any of these tasks be identified as necessary, an amendment may be necessary.

This amendment identifies beyond scope tasks already performed, tasks already started, and further tasks to be completed based on results of initial consultation with DAHP and Affected Tribes:

1) Regulatory Assistance

ESA will assist with continued consultation for a phased methodological approach to the treatment of cultural resources within the Project’s Area of Potential Effects (APE), pursuant to EO 21-02. This includes tasks previously completed and/or started that were not covered under the existing scope and contract with the County.

Tasks previously completed include a pedestrian survey to document existing conditions across the APE; assistance with an on-site visit and walkover of the APE with agency stakeholders; the preparation of a site visit memorandum for distribution to consulting parties by the County; as well as internal Project team meetings and meetings with the County.

Started tasks under this amendment includes the preparation of a proposed phased

methodological approach draft letter regarding the treatment of cultural resources within the APE to be transmitted by the County; preparation of a field project safety plan; and additional coordination and consultation meetings and correspondence as appropriate.

2) *Phase 1 – Cultural Resources Assessment and Inadvertent Discovery Plan*

ESA will conduct archival research at the Washington State Department of Archaeology and Historic Preservation (DAHP), relevant libraries and archives, within its own research library, and online repositories to identify recorded and potential cultural resources in the project study area. ESA will also review project-specific environmental and geological background information, as available from the County. Results of the archival research will be presented in a Phase 1 Cultural Resources Assessment report which will incorporate data from the now completed pedestrian survey. The report will contain recommendations for Phase 1 construction work conducted under an Inadvertent Discovery Plan (IDP), as well as recommendations for the next steps under Phase 2.

The Phase 1 Cultural Resources Assessment will include a Project-specific IDP for Phase 1 construction as an Appendix. The IDP will include protocols to follow in the event that archaeological materials or human remains are encountered. The IDP will include placeholders for contact information to be completed by the County prior to project construction. ESA will attend one in-person pre-construction orientation lead by the County and any other parties indicated by the County. ESA will provide at least one brief virtual cultural resources awareness training (“tailgate”) for key construction and management personnel overseeing Project-related ground disturbing work.

3) *Phase 2 – Cultural Resources Assessment*

The Phase 2 APE is defined as segments of conveyance and grinder pump locations located east of Irondale Road along Curtis Street, Alley Street, Matheson Street, and S Water Street. These locations have been identified as high probability for containing buried archaeological resources.

Fieldwork: ESA will conduct a subsurface survey of the Phase 2 APE. To comply with Washington State law, ESA will request a utility locate prior to any subsurface survey. The subsurface survey will be conducted using up to 20 hand-dug shovel probes spaced approximately 15 meters apart along identified proposed conveyance lines within the Phase 2 APE. Additionally, ESA estimates 15 proposed grinder pumps will be installed in the Phase 2 APE; a single shovel probe will be excavated at each of these 15 locations. Probes will be advanced to the maximum depth of construction limits, or upon encountering intact glacial soils, or impassable subsurface conditions; whichever occurs first. Spoils will be screened through ¼-inch hardware mesh. Probe locations will be recorded using GPS equipment. Probes will be backfilled immediately upon termination. If encountered, all artifacts will be documented in-field, bagged with relevant data, and reburied on-site. If archaeological sites or isolates are encountered during fieldwork, ESA will conduct delineation probes and will prepare and file the appropriate documentation required by DAHP under a contingency task. Information gathered during this task will be included in a technical report.

Technical Report: ESA will summarize the findings and recommendations of fieldwork in a Technical Report. The report will meet the current DAHP standards for a cultural resources assessment. ESA will submit a Draft Report (Word format) for review by the

County the Washington Department of Commerce (Commerce). Following receipt of comments, ESA will prepare the Final Draft Report (PDF format) for review by the County and Commerce. Once comments are received, ESA will prepare the Final Report (PDF format) and submit it to the County. ESA will upload the Final Report to DAHP's WISAARD system, under the direction of the County and Commerce. ESA will submit the project activity for review by DAHP, and the County/ Commerce will notify DAHP and Affected Tribes that the report and any site forms are ready for review. If DAHP or Affected Tribes require revisions for the Final Report, ESA will prepare up to one Revised Final Report (PDF format) for re-submittal to DAHP under the direction of the County/Commerce. ESA will provide recommendations for the treatment of potential cultural resources within the APE. If recommendations include the development and implementation of an Archaeological Resources Monitoring and Inadvertent Discovery Plan (ARM-IDP), ESA will request the County authorize this work under a contingency task.

4) [*Contingency Task*] Archaeological Site/Isolate(s):

In the event that archaeological sites or isolates are identified during fieldwork, ESA will notify the County project manager and request activation of this contingency task.

Archaeological sites and isolates must be recorded and submitted to DAHP.

This task includes time to perform up to 8 site/isolate delineation probes (assuming the site is no more than 10 x 10 m), and time to record one (1) archaeological isolate or site on a State of Washington Archaeological Site/Isolate Inventory form. If additional sites or isolates are identified, each site or isolate will require this amount. ESA will provide preliminary recommendations for the archaeological resource for its potential eligibility to be listed in the National Register of Historic Places. ESA will prepare maps and enter the information in DAHP's WISAARD system, under the direction of the County.

5) [*Contingency Task*] Archaeological Resources Monitoring and Inadvertent Discovery Plan (ARM-IDP):

Pending the results and recommendations of the Phase 2 cultural resources assessment, ESA will prepare a Phase 2 Project-specific Archaeological Resources Monitoring Plan (ARMP) for the County to implement during Phase 2 project construction. The ARMP will include recommendations regarding level of effort across the APE.

ESA will prepare: one Draft ARMP (Word format) to the County for review and comment; one Revised ARMP (Word format) submitted to the County and Commerce for simultaneous review; one Final ARMP (PDF format) submitted to the County and Commerce. If a Potentially Eligible archaeological site is identified that Project construction is unable to avoid, a Washington State Archaeological Site Alteration and Excavation Permit (Permit) may be necessary under an amendment. This contingency task does not include field time for construction monitoring as such an amendment for monitoring rates and level of effort will be necessary.

EXHIBIT "B"

ESA July 11, 2022

Budget Proposal

Version: 2

Project No.:

Project Title: Port Hadlock UGA Sewer System Project

Client: Jefferson County Public Works

Budget Total: \$68,742

Project Manager:

Lisa Adolfsen

Contract No.:

Location:

Jefferson Co.

Billing Category		Director I	Senior Managing Associate	Managing Associate I	Technical Associate II	Associate III	Associate II	Technical Editor	Senior Graphics	Administrative	Clerical		
Task 1	Project Management	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Cost
		Totals											
	Progress Reporting and Invoicing		4.00							4.00		8.00	1,300.00
			4.00	0.00	0.00	0.00	0.00	0.00	0.00	4.00	0.00	8.00	1,300.00
Task 2	Additional State and Local Permitting												
	SEPA Checklist additions		8.00						4.00		2.00	14.00	2,440.00
	Wetland Field Verification			8.00			10.00					18.00	2,330.00
	Critical Areas Report Update	1.00	8.00	10.00					4.00		2.00	25.00	4,270.00
	Jefferson County Permits	1.00	4.00	8.00					2.00			15.00	2,630.00