

Amendment to Project Agreement

11-1027 MJ/A
5/19/11

Project Sponsor: Dept of Fish & Wildlife
Project Title: McLoughlin Falls 2010

Project Number: 10-1861A
Amendment Number: 1

Amendment Type:

Cost Change

Amendment Description:

The SRFB share is being switched from federal to state dollars since WDFW needs state dollars to match their federal grant. For administrative efficiencies their match is also being reduced to align with their federal contract percentages.

Project Funding:

The total cost of the project for the purpose of this Agreement changes as follows:

| | Old Amount | | New Amount | |
|-----------------------|----------------|--------|--------------|--------|
| | Amount | % | Amount | % |
| RCO - SALMON ST PROJ | \$0.00 | 0.00% | \$500,000.00 | 55.00% |
| RCO - SALMON FED PROJ | \$500,000.00 | 45.45% | \$0.00 | 0.00% |
| Project Sponsor | \$600,000.00 | 54.55% | \$409,100.00 | 45.00% |
| Total Project Cost | \$1,100,000.00 | 100% | \$909,100.00 | 100% |
| Admin Limit | \$52,380.00 | 5.00% | \$43,289.69 | 5.00% |
| A&E Limit | \$0.00 | 30.00% | \$0.00 | 30.00% |

Agreement Terms

In all other respects the Agreement, to which this is an Amendment, and attachments thereto, shall remain in full force and effect. In witness whereof the parties hereto have executed this Amendment.

State Of Washington
Recreation and Conservation Office

Dept of Fish & Wildlife

BY: Kaleen Cottingham
Kaleen Cottingham

TITLE: Director

DATE: 4/15/11

Pre-approved as to form:

BY: /s/
Assistant Attorney General

AGENCY: WDFW

BY: Kim Anne
fa lee Rolke

TITLE: Fin op Manager

DATE: 5/16/11

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MAY 16 2011

RECREATION AND CONSERVATION OFFICE

Amendment Agreement Description

Project Sponsor: Dept of Fish & Wildlife
Project Title: McLoughlin Falls 2010

Project Number: 10-1861 A
Amendment Number: 1

Agreement Description

The McLoughlin Falls project will acquire fee title ownership (and/or Conservation Easements) on priority parcels in this "last-best" reach of the Okanogan River. The highest priority ownership contains approximately 160 acres of floodplain, riparian, lowland, and upland habitats, with over 1.1 miles of undeveloped shoreline, off-channel habitats, wetlands, old growth ponderosa pine and riparian vegetation.

The project would protect this area from residential and agricultural development that would have extensive negative impacts to the near pristine conditions that now exist, particularly on the first priority parcel. These off-channel features provide key habitats for many fish and wildlife species, including neotropical migratory songbirds, amphibians, anadromous fish and wetland mammals. This project supports landscape-scale cooperative conservation efforts in North Central WA. The land is currently subdivided and road access exists. The first priority landowner (Wilson) is interested and motivated to fulfill a transaction.

Second priority parcels (Pariseau & Voelker) contain similar habitat features, with natural habitats and some agricultural land that may require future restoration. The project is within a Category 2 watershed and has spawning habitat for summer Chinook and some steelhead.

Amendment Special Conditions

Project Sponsor: Dept of Fish & Wildlife
Project Title: McLoughlin Falls 2010

Project Number: 10-1861 A
Amendment Number: 1

Special Conditions

Your project includes the acquisition of real property. Please be aware that in December 2010, RCO approved changes to its acquisition policies and procedures which are found in *Manual 3: Acquiring Land*. The acquisition elements of the enclosed grant project agreement will need to meet the policies and procedures in the new Manual 3. The new Manual 3 will be available on RCO's website by January 31, 2010. A draft manual is available upon request.

Amendment Eligible Scope Activities

Project Sponsor: Department of Fish and Wildlife
Project Title: McLoughlin Falls 2010
Program: Salmon Federal Projects

Project Number: 10-1861
Project Type: Acquisition
Amendment #: 1

Project Metrics

Project Acquisition

| | |
|--|--------|
| Project acres by purpose type: Habitat Conservation | 165.00 |
|--|--------|

Acquisition Metrics

Property: Pariseau & Voelker (Worksite #1, McLoughlin Falls - Last Best Place)

Real Property Acquisition

Land

| | |
|---|-----------------------|
| Acres by Acreage Type (fee simple): | |
| Riparian | 0.00 |
| Existing structures on site: | No structures on site |
| Clean up of hazardous substances required (yes/no): | Unknown |

Incidentals

Boundary line adjustment

Cultural resources(Acq)

Incidentals

Noxious weed control

| | |
|--|------|
| Acres treated for noxious weeds by method: | |
| Biological | 0.00 |

Stewardship plan

| | |
|---|------|
| Acres included in the stewardship plan: | 0.00 |
|---|------|

Survey(Acq)

| | |
|------------------------|------|
| Acres to be surveyed.: | 0.00 |
|------------------------|------|

Administrative Costs (Acq)

Administrative costs (Acq)

Property: Wilson (Worksite #1, McLoughlin Falls - Last Best Place)

Real Property Acquisition

Land

| | |
|---|-----------------------|
| Acres by Acreage Type (fee simple): | |
| Wetlands | 30.00 |
| Uplands | 60.00 |
| Riparian | 70.00 |
| Existing structures on site: | No structures on site |
| Clean up of hazardous substances required (yes/no): | Unknown |

Incidentals

Boundary line adjustment

Cultural resources(Acq)

Incidentals

Noxious weed control

| | |
|--|-------|
| Acres treated for noxious weeds by method: | |
| Biological | 20.00 |

Signs(Acq)

| | |
|--|---|
| Number of permanent signs that identify site and funding partners: | 2 |
|--|---|

Stewardship plan

| | |
|---|--------|
| Acres included in the stewardship plan: | 160.00 |
|---|--------|

RECEIVED

MAY 16 2011

RECREATION AND CONSERVATION OFFICE

May 16, 2011

Marc Duboiski
Recreation and Conservation Office (formerly IAC)
1111 Washington Street SE
MS: 40917
Olympia, WA, 98501

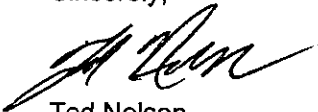
RE: WDFW CONTRACT# 11-1027 -- McLoughlin Falls 2010

Dear Mr. Duboiski,

Enclosed is a fully signed and executed copy of the above referenced Contract document. This document should be retained in your permanent records.

If you have any questions you may contact the WDFW Project Manager for this agreement, Dan Budd, at (360) 902-8149, or contact me in Olympia at (360) 902-2401.

Sincerely,



Ted Nelson
WDFW Contracts Office

Enclosure

Natural Resources Building
1111 Washington St SE
Olympia WA 98501

PO Box 40917
Olympia WA 98504-0917



STATE OF WASHINGTON

RECREATION AND CONSERVATION OFFICE

(360) 902-3000
TTY (360) 902-1996
Fax: (360) 902-3026

E-mail: info@rco.wa.gov
Web site: www.rco.wa.gov

April 13, 2011

Ted Nelson
Dept of Fish & Wildlife
PO Box 43200
Olympia, WA 98504-3200

FILE COPY

RE: McLoughlin Falls 2010, RCO #10-1861A
Amendment # 1

Dear Mr. Nelson:

In response to your request to amend the above-referenced Project Agreement, we have reviewed the circumstances and pertinent RCWs, WACs, and program policies relating to your request. As a result, I am approving an amendment to the McLoughlin Falls 2010 project.

Enclosed are two original amendments to the Project Agreement. Please sign both amendments; retain one for your records, and return one original. If you have any questions, please call Marc Duboiski at (360) 902-3137, or send an e-mail to marc.duboiski@rco.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kaleen Cottingham".

Kaleen Cottingham
Director

Enclosures

cc: Kenneth Bevis



AMENDMENT APPROVAL FORM

Project #: 10-1861 Acquisition
 Amendment #: 1 - Cost Change
 Project Title: McLoughlin Falls 2010
 Project Sponsor: Dept of Fish & Wildlife

| | Date | Initials |
|--------------|---------|----------|
| Grant Mgr: | 4/13/11 | MD |
| Section Mgr: | | |
| Fiscal: | | |
| Deputy: | | |
| Director: | 4/15 | KC |

AMENDMENT DESCRIPTION:

see back for details.

The SRFB share is being switched from federal to state dollars since WDFW needs state dollars to match their federal grant. For administrative efficiencies their match is also being reduced to align with their federal contract percentages.

PROJECT SUMMARY:

| | | |
|--------------------------------|------------------------------------|------------------------------------|
| Board Funded Date: 12/10/2010 | Prior Time Extensions: 0 | RCO Amount: \$500,000.00 |
| Project Start Date: 12/10/2010 | Other External Amendments: 0 | Sponsor Match Amount: \$600,000.00 |
| Original End Date: 07/31/2013 | Sponsor Active Projects: 72 | Total: \$1,100,000.00 |
| Current End Date: 07/31/2013 | Sponsor Completed Projects: 473 | RCO Paid To Date (0%): \$0.00 |
| | Sponsor Not Completed Projects: 21 | RCO Remaining (100%): \$500,000.00 |
| Last Progress Report: | Sponsor Dead Projects: 18 | Last Billing Date: |

PROJECT AGREEMENT DESCRIPTION:

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PROJECT FUNDING (CURRENT):

| Bien | Fund | Appn | Reapp | Ind | Orig | Bien | Orig | Appn | Grant | Activity | SubActiv | SO | Amount |
|-------|------|------|-------|-----|-------|------|------|------|-----------|----------|----------|----|--------------|
| 09-11 | 001 | Q53 | New | | | | | | NMFS 2010 | PROJ | FED | NZ | \$150,021.00 |
| 09-11 | 001 | Q19 | Reapp | | 07-09 | | | Q19 | NMFS 2007 | PROJ | FED | NZ | \$150,000.00 |
| 09-11 | 001 | Q53 | New | | | | | | NMFS 2009 | PROJ | FED | NZ | \$100,000.00 |
| 09-11 | 001 | Q19 | Reapp | | 07-09 | | | Q19 | NMFS 2008 | PROJ | FED | NZ | \$99,979.00 |

QUESTIONS:

| | Yes | No | N/A | Other (see notes) |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| Is the amendment request consistent with the original project intent? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Did the sponsor provide adequate justification for the proposed change? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Did the sponsor exhaust all practical alternatives before requesting the amendment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the current project meeting its milestone obligations to RCO? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Yes | No | N/A | Other (see notes) |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| Is the current project meeting its billing obligations to RCO? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Did the sponsor have little control over the condition causing the amendment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Does the sponsor have a good track record of implementing projects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Will the proposed change help implement the project faster? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the project change a result of a design and/or permitting requirement? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Will this action cause funding to be re-appropriated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is staff recommending approval of this amendment request? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Does the Lead Entity support the proposed change and is the documentation provided (letter or e-mail)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the proposed change technically sound? Has the Review Panel reviewed the change? If so, have their comments been incorporated into the request (i.e. conditioning)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

NOTES AND ANALYSIS:

The WDFW match is a U.S. FWS Section 6 grant. They made a mistake originally stating they could have federal SPFB \$. The \$500k of state SPFB \$ is coming from:

07-1725, \$330,000, recent amendment applied 4/7/11.

06-2150, \$71,000, closed short.

07-1699, \$99,000, will close short soon. Awaiting recorded assignment of rights. Final invoice is poised to be released once AOR received.

\$500,000.

See their attached request. They want to reduce their match percentage from 55% to 45% too. This aligns perfectly with their federal contract percentages of 55% state and 45% federal.