

Amendment to Project Agreement

Project Sponsor: Whidbey Camano Land Trust
Project Title: Skagit Bay Nearshore Protection

Project Number: 07-1592A
Amendment Number: 5

Amendment Type:

Special Conditions Change

Amendment Description:

The grant agreement is amended to include the following two special conditions:

- 1) Regarding the recording of a U.S. Fish & Wildlife Service Notice of Grant Agreement to a previously acquired SRFB habitat property (see attached special condition language).
- 2) Regarding the recording of a Declaration of Covenant, on behalf of the Washington State Department of Transportation, to a previously acquired SRFB habitat property (see attached special condition language).

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

Project Sponsor

BY: 

Kaleen Cottingham

TITLE: Director

DATE: 5/15/15

Pre-approved as to form:

BY: /S/

Assistant Attorney General

AGENCY: Whidbey Camano Land Trust

BY: 

PATRICIA POWELL

TITLE: Executive Director

DATE: 6/5/15

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RECREATION AND CONSERVATION OFFICE

Amendment Special Conditions

Project Sponsor: Whidbey Camano Land Trust
Project Title: Skagit Bay Nearshore Protection

Project Number: 07-1592 A
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Special Conditions

1. On July 1, 2007, the name of the Interagency Committee for Outdoor Recreation changed to the Recreation and Conservation Funding Board and the office name changed to the Recreation and Conservation Office. The General Provisions of the Project Agreement do not reflect this change. To allow immediate implementation of this project, the existing provisions are hereby incorporated into the agreement. All references to the Board refer to the Recreation and Conservation Funding Board. References to the Office refer the Recreation and Conservation Office.
2. Before reimbursement of any development related expenses, the sponsor must comply with Governor's Executive Order 05-05 regarding Archeological and Cultural Resources for the scope of work approved in this Project Agreement. The Recreation and Conservation Office will issue a notice to proceed when appropriate documentation has been received.

In the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity must stop; the area must be secured, and the Sponsor must notify the concerned tribe's cultural staff and cultural committee, the Recreation and Conservation Office, and Department of Archaeology and Historic Preservation.

3. The Duguala Bay Preserve, with Island County Assessor's Tax I.D. Numbers: R23317-511-2140; R23317-521-1800; R23317-527-2670; R23317-506-3460; and R23317-450-2020, was acquired with Washington Salmon Recovery Funding Board (WSRFB) grant funds on December 23, 2009. The WSRFB Deed of Right (DOR) encumbrance was recorded on the title on June 8, 2011, Island County Auditor's Recording Number 4296265.

A Notice of Grant Agreement encumbrance, for the North American Wetlands Conservation Act (NAWCA) grant program, administered by the U.S. Fish & Wildlife Service (USFWS), may be recorded on the title of property acquired by the Whidbey Camano Land Trust. This USFWS Notice of Grant Agreement encumbrance is subordinate to WSRFB's DOR. Any future conversion of the above described property, as outlined in the DOR, must be valued without the DOR and USFWS encumbrance on the title.

4. The Duguala Bay Preserve, with Island County Assessor's Tax I.D. Number: R23318-473-1010, was acquired with Washington Salmon Recovery Funding Board (WSRFB) grant funds on December 16, 2009. The WSRFB Deed of Right (DOR) encumbrance was recorded on the title on June 8, 2011, Island County Auditor's Recording Number 4296265.

A Declaration of Covenant, on behalf of the Washington State Department of Transportation (WSDOT) for the purposes of wetland mitigation for its SR 532 Davis Slough Bridge Replacement project, may be recorded on the title of property acquired by the Whidbey Camano Land Trust. This Declaration of Covenant encumbrance is subordinate to WSRFB's DOR. Any future conversion of the above described property, as outlined in the DOR, must be valued without the DOR and WSDOT encumbrance on the title.

Natural Resources Building
1111 Washington St. S.E.
Olympia, WA 98501

P.O. Box 40917
Olympia, WA 98504-0917



STATE OF WASHINGTON

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May 15, 2015

Patricia Powell
Whidbey Camano Land Trust
765 Wonn Rd Barn C201
Greenbank, WA 98253

RE: Skagit Bay Nearshore Protection, RCO #07-1592A
Amendment # 5

Dear Ms. Powell:

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 Skagit Bay Nearshore Protection 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 Mike Ramsey at (360) 902-2969, or send an e-mail to mike.ramsey@rco.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kaleen Cottingham", written over a circular stamp that partially obscures the name.

Kaleen Cottingham
Director

Enclosures