

**BEFORE THE BOARD OF SUPERVISORS OF THE
CHEHALIS RIVER BASIN FLOOD CONTROL ZONE DISTRICT**

APPROVING AMENDMENT 2 TO A MITIGATION INTERAGENCY) RESOLUTION NO. 26-010
AGREEMENT WITH THE WASHINGTON DEPARTMENT OF)
ECOLOGY (C2600036))

WHEREAS, the Chehalis River Basin Flood Control Zone District (District) receives state funding from the Office of Chehalis Basin (OCB) through three interagency agreements, respectively numbered C2600039 – Engineering; C2600036 – Mitigation; and C2500199 – Management; and

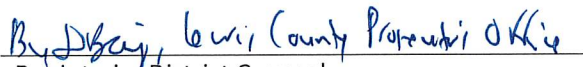
WHEREAS, an additional \$1,982,500 in funding to continue the mitigation work is available, and the District and OCB have agreed upon the attached Amendment 2 to the Mitigation contract (C2600036) to allocate such funds to the District;

NOW THEREFORE BE IT RESOLVED that Amendment 2 is in the public interest and is approved. The Administrator is authorized to sign, physically and/or electronically, on behalf of the District.

The foregoing resolution was ADOPTED by the Board of Supervisors of the Chehalis River Basin Flood Control Zone District at a public meeting this 15th day of September, 2026.

APPROVED AS TO FORM:

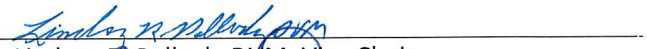
BOARD OF SUPERVISORS OF CHEHALIS RIVER BASIN
FLOOD CONTROL ZONE DISTRICT

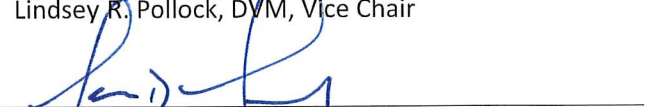

By: Interim District Counsel


Scott Brummer, Chair

ATTEST:


Eric Eisenberg, Deputy District Administrator, in
the Clerk's Excused Absence


Lindsey R. Pollock, DVM, Vice Chair


Sean Swope, Supervisor



DEPARTMENT OF
ECOLOGY
State of Washington

AMENDMENT NO. 2

TO

Contract NO. C2600036

BETWEEN THE

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

AND

CHEHALIS RIVER BASIN FLOOD CONTROL ZONE DISTRICT

PROJECT TITLE: FCZD FRE Avoidance, Minimization, and Mitigation (AM&M) Plan

PURPOSE: To amend the Agreement between the state of Washington, Department of Ecology, hereinafter referred to as "ECOLOGY", and Chehalis River Basin Flood Control Zone District, hereinafter referred to as "FCZD" or "Contractor."

WHEREAS, pursuant to their mutual agreement, the parties agree to amend Task 2 through Task 4 and add Task 5 in the existing Agreement.

WHEREAS, pursuant to their mutual agreement, the parties intend to amend the budget allocation to add One Million Nine Hundred Eighty-two Thousand Five Hundred Dollars (\$1,982,500) across Task 2 through Task 4, which includes funding associated with the newly added Task 5.

WHEREAS, pursuant to the funding shift from the State Building Construction Account (SBCA) to the National Climate Solutions Act (NCSA) per legislation, the associated Climate Commitment Act terms are added to the Special Terms and Conditions.

IT IS MUTUALLY AGREED the Agreement is amended as follows:

1) Section 3, COMPENSATION of the agreement is increased by \$1,982,500.00, from \$2,554,925.27 to \$4,537,425.27.

2) Appendix A, Statement of Work and Budget, is amended to read as follows:

Deleted texts and amounts indicated with strikethrough (~~sample~~) and new texts and amounts are underlined (sample)

State of Washington Department of Ecology
Contract No. C2600036, Amendment No. 2
Chehalis River Basin Flood Control Zone District

APPENDIX A STATEMENT OF WORK AND BUDGET

Task 2: FRE Environmental Impact Statement Processes Support

Task Description: This Task supports the development of the Environmental Impact Statements (EIS) for proposed water retention structure(s) and improvements to the levee around the Chehalis-Centralia airport, including the proposed I-5 floodwall.

FCZD will ensure consultant modeling efforts ~~are~~ continue to be updated as needed to provide clarification for State Environmental Protection Act (SEPA) and National Environmental Protection Act (NEPA) agencies during their ongoing revised and supplemental draft EIS processes, respectively, and prior to the publication of the Final SEPA & NEPA EISs. Models developed for the Revised Mitigation Plan include:

- TOPSIS, Ttools and Shade-a-lator
- Refined sediment model
- Mitigation operations model
- Wildlife HEP model
- CE-QUAL-W2

FCZD will ensure that biological and other mitigation-relevant concerns are consistently addressed in sediment, hydraulic, and hydrological modeling used for engineering or mitigation planning through coordination between its mitigation and engineering subconsultants.

FCZD will continue to update and refine its EDT model to better describe project impacts and whether the mitigation offsets those impacts. Similarly, FCZD will continue to develop a functional analysis to measure mitigation sufficiency as requested in the NEPA process (also called a “quantitative function-based assessment approach” and noted as a mitigation need in the SEPA RDEIS).

FCZD will update and refine its proposed Forest Conversion and wetlands mitigation plans through data collection, analysis, and refinement of treatments. It will update and refine its riparian reforestation mitigation plans through field data collection, designs updates, and modeling updates (as noted above). It will update its Vegetation Management Plan through data collection at comparable sites, analysis, modeling updates if needed, and refinements to treatments or approach.

FCZD will review tribal and agency analysis and address questions, and provide general support for SEPA and NEPA processes. FCZD will hold coordination meetings with FCZD/State/Federal agencies, monthly interagency meetings, and monthly meetings with state agencies. This includes preparation for meetings and follow up assignments.

~~This work responds to expressed needs of these agencies in environmental review and includes providing information to support or in response to public comments on the revised draft SEPA EIS and NEPA draft EIS supplemental.~~

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Expected outcome for this Task is:

- ~~Update to dated Chehalis Basin~~ modeling that supports final SEPA and NEPA EISs for proposed water retention structures.
- Refined mitigation plans reflecting better data and more evidence of how they offset project impacts.

Deliverables:

Provide ECOLOGY:

- Summary report(s) that supports modeling refinements as needed.
- Technical memoranda concerning updated modeling in support of the SEPA and NEPA processes (if different than the above reports).
- ~~Response to public comments on draft SEPA EIS.~~
- Reports or technical memoranda concerning new mitigation plan refinements locations, designs, or analysis, if any, resulting from SEPA and NEPA reviewing agencies' requests.

Task 3: Federal Consultation Reviews and Engagement

Task Description: This task supports the ongoing Endangered Species Act (ESA) and National Historic Preservation Act (NHPA) Section 106 consultation work for the proposed water retention structures and improvements to the levee around the Chehalis-Centralia airport.

Expected outcome for this Task is:

- Provide support for ESA and Section 106 consultation to achieve an advanced and updated mitigation plan.

FCZD will engage with the U.S. Army Corps of Engineers and Endangered Species Act (ESA) federal partners through the ESA-Section 7 consultation process, during review of the draft mitigation plan and updated Biological Assessment (BA) Report. The FCZD expects to receive feedback and comments from federal services regarding the proposed mitigation plan and the analysis in the revised BA Report. The FCZD will supply any additional information, modeling, or analysis required to allow the services to issue a Biological Opinion (if necessary).

FCZD will advance mitigation plan updates by addressing comments received by federal and state agencies on the proposed draft mitigation plan. To support mitigation plan refinement, the task includes, but is not limited to further data collection or refinements of any of the following, as needed:

- Review and refinement of sediment, hydrologic, ~~or~~ and hydraulic modeling analyses
- Further data collection or refined analysis of:
 - water temperature data, stream bed sediments,
 - spawning gravel locations/size,
 - topographic data,
 - vegetation types and densities,
 - wetland size and type,
 - site characterizations at potential stream mitigation sites,
 - woody debris counts,
 - stream bed scour measurements,

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- channel measurements & visual inspection at potential fish passage culvert projects,
- channel measurements to calibrate and verify hydraulic modeling results,
- and other necessary data collection required for adequate response and revisions.

FCZD will refine the mitigation plan to address federal services comments and feedback, including mitigation plan feasibility associated with ecological lift for species and life stages, as well as monitoring and adaptive management.

~~FCZD will work with consultants to refine an EDT model other agency accepted model to show baseline, baseline with project, and baseline with project with mitigation scenarios to inform the revised Biological Assessment and the services' analysis of the project.~~

FCZD will work with consultants to provide continued federal NHPA Section 106 consultation through development and presentation of mitigation planning materials and development of a final Traditional Cultural Property report. As needed, FCZD will provide memos, presentations, and presentation materials for Chehalis Basin Board (Board) meetings and sub-committee work.

Deliverables:

Provide ECOLOGY:

- Revised Biological Assessment Report.
- Refined or revised mitigation plan, if one is required by state or federal agencies. If not, provide a technical memorandum concerning refinements to mitigation analyses, if any, responding to services' needs in ESA consultation.
- Mitigation planning presentation materials.
- Presentation or information materials, if any, created for Section 106 process.
- Final Traditional Cultural Property report.

Task 4: Support Chehalis Basin Partners

Task Description: This task supports coordination with Chehalis Basin partners for the proposed water retention structure(s) and improvements to the levee around the Chehalis-Centralia airport.

Expected outcome for this Task:

- Continued community outreach, communication, and informed officials, Chehalis Basin Board, and community members.

FCZD will notify OCB in advance of any planned community-outreach activities.

FCZD will provide analyses and continued communication support to Chehalis Basin partners and community, which includes but is not limited to:

- Content for website or other public display
- Chehalis Basin Board updates and presentations
- Outreach and communication with community members and elected officials
- Update presentations at monthly Section 106 meetings

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- Participation in OCB technical workgroups
- Response to OCB or other stakeholders' requests for technical information or analyses related to OCB comprehensive strategy adoption

Deliverables:

Provide ECOLOGY:

- Presentation materials or other support materials
- Links to web presence
- Documentation for outreach and communication with community members

Task 5: New Contingency Mitigation Actions – Conceptual

Task Description: This task supports the FCZD's effort to develop additional mitigation measures responsive to the potential impacts and concerns identified in the SEPA RDEIS process. The RDEIS and comments thereon proposed several areas where mitigation is currently absent, insufficient, or questioned by tribes and the conservation community, particularly regarding the feasibility and adequacy of proposed actions to offset project impacts and provide ecological lift.

The FCZD will investigate and, if fruitful, conceptually develop mitigation actions related to:

- Construction water-supply mitigation
- Forest-resiliency and wildfire-risk mitigation
- Additional thermal-mitigation opportunities closer to the impact area
- Additional spawning-gravel enhancement opportunities
- Actions to maintain or improve fish genetic diversity
- Actions to reduce predation
- Aquifer- or surface-water-recharge actions to reduce river temperatures

The FCZD will review literature, consult experts, and collect relevant data to determine whether effective mitigation actions are feasible for the identified topics.

Expected outcome for this Task is:

- Greater understanding of whether and through what strategies additional mitigation may occur to offset project impacts.

Deliverables:

Provide ECOLOGY:

- Summary report(s) or technical memoranda concerning the potential mitigation strategies above, noting whether the strategy is fruitful and if so how additional mitigation may be employed.

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Task	Description	New Amount
1	Transfer RCO Agreement #23-1794	\$151,925.27
2	FRE Environmental Impact Statement Process and Support	\$1,443,000.00 <u>\$2,553,000.00</u>
3	Federal Consultation Reviews and Engagement	\$801,000.00 <u>\$1,268,500.00</u>
4	Support Chehalis Basin Partners	\$159,000.00 <u>\$234,000.00</u>
<u>5</u>	<u>New Contingency Mitigation Actions – Conceptual</u>	<u>\$330,000.00</u>
Total Project Cost		\$2,554,925.27 <u>\$4,537,425.27</u>

3. Appendix B, Special Terms and Conditions, is amended to read as follows:

New texts are underlined (sample)

2) CLIMATE COMMITMENT ACT BRANDING

Beginning on the effective date of this Amendment, this Agreement is supported with funding from Washington’s Climate Commitment Act (CCA). The CCA supports Washington’s climate action efforts by putting cap-and-invest dollars to work reducing climate pollution, creating jobs, and improving public health. Information about the CCA is available at [Home | Climate \(wa.gov\)](#). Department of Ecology received funding from Washington’s Climate Commitment Act (CCA) for the work under this contract. To strengthen public awareness of how CCA funding is used, the Office of the Governor is directing state agencies that administer funding or manage a CCA-supported program to ensure consistent logo branding and funding acknowledgments are used in all communications and included in funding agreements and contracts.

The logo branding and funding acknowledgments requirements apply to all contractors, subcontractors, service providers, and others who assist the CONTRACTOR in implementing this contract. CONTRACTOR is to contact ECOLOGY if unsure about how to apply CCA requirements to the work under this contract.

https://fortress.wa.gov/ecy/ezshare/fsd/GovernorDirective24-01_CCABrandingGuidelines.pdf

This Amendment is signed by persons who represent that they have the authority to execute this Amendment and bind their respective organizations to this Amendment.

IN WITNESS WHEREOF, the parties below, having read this Amendment in its entirety, including any attachments, do agree in each and every particular as indicated by their below signatures.

By:

Date

Ryan Barrett

Print Name

District Administrator

Title