

August 9, 1990
BE:tv(F3:MOT7.1)

INTRODUCED BY BRUCE LAING

PROPOSED NO. 90 - 780

MOTION NO. 8050

1
2 A MOTION authorizing the King County executive
3 to enter into an agreement with the Washington
4 State Department of Ecology regarding the joint
5 funding of a plan to improve water quality in
6 King County pursuant to Chapter 70.146 R.C.W.

7 WHEREAS, the Washington State legislature has created the Centennial
8 Clean Water Fund for the joint funding of water quality improvement plans
9 and projects with other public agencies in the state pursuant to
10 Chapter 70.146 R.C.W., and

11 WHEREAS, the Washington State legislature has adopted the 1987 and
12 1989 Puget Sound Water Quality Management Plans that require local govern-
13 ments to conduct certain planning and implementation activities related to
14 preserving or improving water quality in Puget Sound and in waters tribu-
15 tary to Puget Sound, and

16 WHEREAS, the King County department of public works has applied for
17 and been offered a Centennial Clean Water Fund grant by the Washington
18 State Department of Ecology for the Lower Cedar River Action Plan, and

19 WHEREAS, state requirements include a twenty-five percent local match
20 for all categories of grant moneys received, and

21 WHEREAS, a watershed management committee must be formed pursuant to
22 W.A.C. 400.12.410 to oversee the development of the nonpoint source pollu-
23 tion action plan funded by the proposed action plan grant, and, as the des-
24 ignated lead agency for the nonpoint action plan, and as a local government
25 with legislative authority within those basins, King County must be
26 represented on the watershed management committee for the development of
27 that action plan, and

28 WHEREAS, concurrent surface water planning efforts in the Lower Cedar
29 River Basin involve several citizen advisory committees with potentially
30 overlapping and confusing purposes;
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NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. The county executive is hereby authorized to enter into an agreement in substantially the form attached with the Washington State Department of Ecology to accept grant funding for the Lower Cedar River Action Plan.

B. The county executive is hereby authorized to appoint the manager of the King County surface water management division as the county representative serving on the Lower Cedar River Action Plan watershed management committee.

C. The citizen committees for the Lower Cedar River Basin Plan and Nonpoint Source Pollution Action Plan shall be combined into one committee, selected by the watershed management committee.

PASSED this 17th day of September, 1990.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Lois North
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

DEPARTMENT OF ECOLOGY GRANT AGREEMENT

This is a binding agreement entered into by and between the State of Washington, Department of Ecology, (Mailstop PV-11, Olympia, Washington 98504) hereinafter referred to as the "DEPARTMENT," and King County Surface Water Management Division, hereinafter referred to as the "GRANTEE". The purpose of this agreement is to provide funds to the GRANTEE to carry out the activities described herein.

GRANTEE Name: King County Surface Water Management Division

GRANTEE Address: 730 Dexter Horton Building
Seattle, WA 98104

GRANTEE Authorized Representative: Jim Kramer, Division Manager
GRANTEE Telephone Number: (206) 296-6585

GRANTEE Contact: Bill Eckel
(206) 296-6519

GRANT Number: TAX91

The Source of funds provided by the DEPARTMENT is the: Centennial Clean Water Fund

For the purpose of this agreement, the Project Officer assigned for the DEPARTMENT shall be Norman J. Stewart

Grant Amount:

Total Project Cost	\$ 410,000	(W/Contingency \$ 430,500)
State Grant Share	\$ 307,500	(W/Contingency \$ 322,875)
Local Share	\$ 102,500	(W/Contingency \$ 107,625)

State Maximum Cost Share Rate: 75%

The amount withheld by the DEPARTMENT from each payment for security performance shall be 5%.

The effective date of this grant agreement shall be the date this agreement is signed by the DEPARTMENT. Any work performed prior to the effective date of this agreement without prior written authorization and specified in Special Conditions will be at the sole expense and risk of the GRANTEE.

The project described herein must be completed on or before October 31, 1993.

This agreement shall expire no later than March 31, 1993.

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GRANTEE NAME: KING COUNTY SURFACE WATER MANAGEMENT DIVISION
PROJECT TITLE: LOWER CEDAR RIVER NONPOINT PLAN
COMPLETION DATE: OCTOBER 31, 1993

SCOPE OF WORK

PROJECT DESCRIPTION

King County, with assistance from the City of Renton shall develop a Watershed Action Plan for the Lower Cedar River Basin. The project will augment water quality elements of an ongoing surface water basin plan and a sole source aquifer protection program being carried out by the City of Renton. The GRANTEE shall assume lead agency responsibilities for the Action Plan which shall meet requirements of 400-12 WAC, Local Planning and Management of Nonpoint Source Pollution. In addition to the Action Plan the GRANTEE shall implement those portions of the action plan identified for early implementation.

OBJECTIVES

Specific objectives of this project are:

1. Develop a watershed action plan for the Lower Cedar River watershed in accordance with chapter 400-12 WAC, Local Planning and Management of Nonpoint Source Pollution.
2. Provide information, education, and public involvement to the committee, watershed residents, users of the watershed, and jurisdictional entities.
3. Conduct a survey of commercial and industrial establishments in the City of Renton for illegal hookups to the storm drain system.
4. Develop and apply a data management system to determine potential impacts of surface water pollution on aquifer quality.
5. Develop an ordinance for use by the County to improve aquifer protection.

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PROJECT TASKS

TASK 1 - WATERSHED MANAGEMENT COMMITTEE FORMATION AND SUPPORT

The GRANTEE shall establish and provide staff support for a Lower Cedar River Watershed Management Committee (WMC). The Committee shall be made up of representatives of local governments, legislative authorities, conservation districts and Indian tribes, as specified in 400-12-410 WAC. To insure representation of the general public, the Chairman of the Citizens Advisory Committee shall sit on the WMC as a participating member. The GRANTEE shall educate the committee as to their role in completing the Action Plan and provide training, as necessary, to help the Committee fulfill their responsibilities. The Watershed Management Committee shall develop ground rules and a decision making process for its use. A preliminary work plan for the Committee shall be established by the GRANTEE until a final work plan to be approved by the GRANTEE and the DEPARTMENT, can be completed. The composition of the Watershed Management Committee shall be approved by the DEPARTMENT. The Committee shall be assisted by a Technical Advisory Committee (TAC) and a Citizens Advisory Committee (CAC). The TAC and the CAC shall be selected by, and their duties established by, the Watershed Management Committee.

Estimated Cost: \$38,376

Completion Date: October 31, 1993

Required Performance:

- A. Establish (and submit for DEPARTMENT approval) Watershed Management Committee.
- B. Provide staff support and training for the Watershed Management Committee.

TASK 2 - WATERSHED CHARACTERIZATION/SOURCE IDENTIFICATION

The Watershed Management Committee is responsible for preparation of a Watershed Characterization for the Lower Cedar River. The Characterization shall be prepared in accordance with provisions of 400-12-510 WAC. At a minimum, the Characterization shall include the following elements:

- * a description of and current condition of the biophysical environment;
- * land use description, including existing and projected trends;

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- * listing of riparian habitats;
- * assessment of existing water quality including projected trends;
- * map(s) showing action plan and jurisdictional boundaries;
- * a map showing all water ways and water bodies; and
- * a description of existing federal and state water quality programs affecting the watershed.

Based on the Watershed Characterization, the Watershed Management Committee, aided by the CAC and the TAC, shall prepare a Water Quality Description for nonpoint source water quality problems in the Lower Cedar River Basin. To supplement existing data a stormwater quality and sediment sampling program will be conducted prior to the preparation of the Description. A groundwater analysis shall also be initiated which identifies aquifer recharge areas and contaminant transport potentials. The stormwater, sediment sampling and groundwater data shall be organized into a data base for use by the WMC and the GRANTEE and utilized along with the Watershed Characterization to complete the Water Quality Description which shall contain, at a minimum, the following elements:

- * the beneficial uses for the water bodies and/or stream segments impaired or threatened by nonpoint pollution.
- * a comparison of existing water quality and current water quality standards;
- * categories and subcategories of sources and potential sources of nonpoint pollution;
- * wetlands affected or threatened by nonpoint source pollution.

The WMC shall prepare a problem statement with specific goals and objectives that will direct the course of the Lower Cedar River Action Plan.

The Water Quality Assessment, Watershed Characterization and Problem Statement with goals and objectives shall be completed and submitted to Ecology for review, comment, and approval prior to proceeding to Task 3.

Estimated Cost: \$183,513

Completion Date: May 31, 1992

Required Performance:

Submit Water Quality Assessment, Watershed Characterization, Problem Statement DEPARTMENT and Goals and Objectives for review and approval

TASK 3 - SOURCE CONTROL STRATEGIES

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The watershed management committee, shall be responsible for the development of strategies to control sources of nonpoint pollution identified in Task 2. Strategies shall be identified and selected for implementation in accordance with 400-12-600 WAC. Each strategy shall be evaluated for practicality, effectiveness, cost and cost efficiency, redundancy with other programs, political feasibility, and implementing agencies cooperation. Source Control Strategies shall also be evaluated, where appropriate, using the hydrologic model currently in use to evaluate water quantity problems for the Lower Cedar Basin Plan. Source Control Strategies shall include, but not be limited to:

- * maintenance programs
- * code/regulatory changes
- * capital projects
- * enforcement actions
- * public education
- * technical assistance
- * incentives/financial assistance
- * voluntary participation

Estimated Cost: \$53,579

Completion Date: December 31, 1992

Required Performance:

- A. Complete Alternative Source Control Measure Analysis
- B. Design and implement Groundwater Protection Education Program for unincorporated areas.

TASK 4 - PLAN PRODUCTION AND APPROVAL

Using criteria from Task 3, the WMC shall select source control strategies for implementation, identifying those suitable for early/immediate implementation. The selection process shall be consistent with 400-12-520. Once preferred source control strategies are identified the Watershed Management Committee shall carry out the following actions:

- * determine agency involvement (lead and cooperating agencies) for each project
- * devise implementation schedule and strategy for achieving goals and objectives
- * estimate implementation costs and establish preliminary budget
- * develop a method of evaluating the overall effectiveness of the action plan in meeting plan goals, objectives, and source controls
- * provide for public involvement
- * provide a process for making plan revisions

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Source Control Strategies selected for implementation, their implementation schedules, budgets and other elements identified in this task shall become the action plan for this project. The preliminary action plan shall be submitted to the DEPARTMENT for technical review and comment. The GRANTEE shall work with implementing and cooperating agencies to develop implementation strategies.

The GRANTEE shall submit 25 copies of the preliminary draft action plan to the DEPARTMENT for review and approval. The plan will be reviewed for technical feasibility, legality, capability of affected entities to implement and ability to restore and maintain beneficial uses, ability to achieve and maintain or improve water quality. DEPARTMENT comments shall be submitted to the GRANTEE which will pass them to the WMC along with other comments on the draft plan. The Watershed Management Committee shall consider comments and prepare a responsiveness summary which addresses those comments.

The Final Action Plan shall be submitted for SEPA review (400-12-540 WAC) and comply with all SEPA requirements. The GRANTEE shall work closely with implementing agencies listed in the plan to work out participation details. Once details are finalized, the GRANTEE shall solicit letters of concurrence from implementing agencies and attempt to resolve issues of nonconcurrence.

Following SEPA review and public hearings, the revised Final Action Plan, SEPA documents, letters of concurrence, and any letters of nonconcurrence shall be submitted to the DEPARTMENT for approval. Ecology may approve the total plan or selected parts. The GRANTEE shall submit a minimum of 70 copies of the Final Action Plan to the Department for distribution.

Estimated Cost: \$44,488

Completion Date: October 31, 1993

Required Performance:

- A. Draft preliminary Action Plan and submit for DEPARTMENT review.
- B. Carry out requirements for SEPA review.
- C. Submit 70 copies of the Action Plan to the DEPARTMENT.

TASK 5 - EARLY IMPLEMENTATION

The GRANTEE shall begin early implementation of committee recommendations to accelerate correction of identified problems. Early Implementation activities shall include but will not be limited to; an extensive public information and education program and onsite investigations and enforcement actions for illegal hook ups to storm drains. Work plans for all activities shall be

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approved by the GRANTEE and the DEPARTMENT prior to commencement.

The GRANTEE shall develop public information and educational program to be incorporated into the final Watershed Management Plan. The Plan may include a means for public participation, open meetings, watershed tours, newsletters or brochures for watershed residents, businesses, and jurisdictional entities. The Public Education and Information Plan shall be a priority with the WMC and will be developed as early as possible. The plan shall be submitted to Ecology for review and comment and must meet with Ecology approval prior to implementation.

A survey of illegal hookups to the City of Renton storm drain system shall be carried out. The survey shall be modeled after similar work conducted by Metro and the City of Seattle. Preparation for field investigations will include a examination of available storm drainage maps and side sewer cards for the to identify potential illegal hookups. A field team will perform site visits and where necessary, dye tests of to identify illegal hook ups. The City of Renton shall complete follow-up actions to deal with illegal storm drain hookups.

The GRANTEE shall develop a long term water quality monitoring plan for inclusion in the final Watershed Management Plan. The monitoring program shall be aimed at evaluating impacts of nonpoint pollutants to waterways and water bodies over time. The monitoring program will also assess water quality trends and include runoff-event surveys to evaluate pollutant loading during worst case conditions. The program shall of establish permanent monitoring stations to monitor selected parameters at predetermined time intervals. The routine monitoring will allow long-term tracking of water quality trends and all comparisons with current water quality standards. At a minimum, the following parameters shall be monitored:

- * flow
- * fecal coliform
- * total suspended solids
- * turbidity
- * conductivity
- * dissolved oxygen
- * temperature
- * pH

The GRANTEE shall prepare an estimate of costs for the monitoring plan and shall submit the Monitoring Plan and cost estimate for DEPARTMENT review and approval prior to beginning any monitoring.

Estimated Cost: \$33,526

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Completion Date: May 31, 1993

Required Performance:

- A. Complete Public Information and Education Plan and submit for DEPARTMENT approval.
- B. Complete illegal storm drain hookup survey
- C. Complete Water Quality Monitoring Plan
- D. Submit Final Action Plan and supporting documents for DEPARTMENT approval, and distribute following approval.

1A3A 5 ■ PROJECT MANAGEMENT

The GRANTEE shall be responsible for the effective and efficient administration of this grant project. Administration shall include, but is not limited to project supervision, coordination of scheduled activities, record keeping and management, financial accounting, and report preparation. The GRANTEE will ensure that the grant project is conducted according to the details of this agreement and will carry out the project within the approximate time schedule outlined in the agreement. The GRANTEE will ensure that effective communication is maintained with the GRANTEE's designees, the DEPARTMENT, affected local, state, or federal jurisdictions, and interested individuals. The GRANTEE will assure that the project is carried out in a manner that does not affect adversely or the DEPARTMENT or the GRANTEE.

The GRANTEE shall submit quarterly project progress reports. Progress reports will document project accomplishments, problems encountered, future actions, updated cash flow projections, raw data summaries, and any other information that the DEPARTMENT should be aware of. Quarterly Reports and Payment Requests shall be submitted based on Calendar Quarters. Quarterly Reports shall be submitted within 30 days of the end of the quarter and Payment Requests shall be submitted within 60 days of the end of the quarter.

The GRANTEE shall prepare a final project report which documents project accomplishments and evaluates the over all effectiveness of the project. The GRANTEE shall submit a minimum of Seventy copies of the final report to the DEPARTMENT within 30 days of the completion date of the project.

Estimated Cost: \$56,517

Completion Date: December 31, 1993

Required Performance:

Submission of all reports, payment requests, and other requirements as detailed in this grant contract.

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PROJECT BUDGET

Budget Object	Estimated Cost*
Goods/Services/Supplies	\$ 38,825
Salaries and Benefits	164,792
Consultants and Contracts	157,365
Travel	1,807
Indirect (King County SWM salaries only)	47,211

Total Project Cost \$ 410,000
 (W/Contingency \$ 430,500)

State Grant Share 307,500
 (W/Contingency \$ 322,875)

Local Share 102,500
 (W/Contingency \$ 107,625)

* Deviation of 5% between budget objects is allowed with Project Officer authorization. (See Special Condition number 5)

PROJECT SCHEDULE

	1990	1991	1992	1993
	U N D J F M A M J J A S	U N D J F M A M J J A S	U N D J F M A M J J A S	U N D J F M A M J J A S
Task 1	XX			
Task 2	XX			
Task 3			XXXXXXXXXXXXXXXXXXXX	
Task 4		XX		
Task 5				XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Task 6	XX			

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SPECIAL TERMS AND CONDITIONS

1. Agency Acknowledgment. The Washington State Department of Ecology will be acknowledged for providing grant funding in all press releases, publications, and oral presentations where the project is described or results of the project are presented.
2. Project Sign. A project sign shall be erected in the project area within 90 days after the grant has been signed by DEPARTMENT'S program manager. The sign will be located in a prominent place and will be constructed in accordance with published DEPARTMENT specifications for project signs. Sign design and location will be approved by the DEPARTMENT before the sign is erected.
3. Maintenance and Disposition of Equipment. The GRANTEE shall be responsible for the proper management, security, inventory, and maintenance of all equipment as set forth in the DEPARTMENT'S "Financial Guidelines for Grants Management" March 1982. The disposition of all nonexpendable equipment and property, purchased with grant funds, will be in accordance with these guidelines. The GRANTEE will retain any equipment or property purchased with grant funds as long as it is used to carry out the objectives of the this grant project, carry out the objectives of other state water quality grant projects, or to conduct nonpoint watershed planning projects to identify and reduce nonpoint water pollution.
4. Indirect Rate. The GRANTEE may claim as indirect cost an amount equal to 49.6% of the eligible labor costs incurred conducting the project described herein.
5. Budget Flexibility. A dollar amount equal to five percent of the budget object may be reassigned or shifted to another budget object if concomitant savings of five percent are realized in other budget objects, such that the total grant amount does not exceed the original grant award. Prior written approval of the project officer is required.
6. Contingency Allowance. A contingency allowance of five percent of the total eligible cost will be included in the grant for unanticipated costs associated with the project. The amount of the contingency allowance will be reduced accordingly if the increase to the grant is in excess of any grant ceiling established in Chapter 173-95 WAC. Use of the allowance must be consistent with the scope of work in the grant agreement and will only be authorized under exceptional circumstances at the sole discretion and approval of the project officer.

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7. Minority and Women's Business Participation. The GRANTEE agrees to utilize, to the maximum extent possible, minority-owned and women-owned businesses in purchases and contracts initiated after the effective date of this agreement.

In the absence of more stringent goals established by the GRANTEE'S jurisdiction, the GRANTEE agrees to utilize the DEPARTMENT'S goals for minority and women owned business participation in all bid packages, request for proposals and purchase orders. These goals are expressed as a percentage of the total dollars available for the purchase or contract and are as follows:

Minority owned business participation - 10%
Women owned business participation - 6%

The GRANTEE and ALL prospective bidders or persons submitting qualifications shall take the following steps in any procurement initiated after the effective date of this agreement:

- a) Include qualified minority and women's businesses on solicitation lists;
- b) Ensure that qualified minority and women's businesses are solicited whenever they are potential sources of services or supplies;
- c) Divide the total requirements, when economically feasible, into smaller lots or quantities to permit maximum participation by qualified minority and women's businesses;
- d) Establish delivery schedules, where requirements of the work permit, which will encourage participation of qualified minority, and women's businesses.
- e) Use the services and assistance of the State Office of Minority and Women Owned Business Enterprises, and the Office of Minority Business Enterprises of the U.S. Department of Commerce as appropriate.

The GRANTEE shall provide written certification, on a form provided by the DEPARTMENT, that the above steps were/will be followed.

The GRANTEE agrees to report to the DEPARTMENT at the time of submitting each invoice, on forms provided by the DEPARTMENT, payments made to qualified firms. The report will address:

- a) Name and State OSWDD certification number of any qualified firm receiving funds under the voucher, including any sub and/or sub-subcontractors.
- b) The total dollar amount paid to qualified firms under this invoice.

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7. All Writings Contained Herein. This agreement, the appended general terms and conditions, the DEPARTMENT's current edition of Financial Guidelines for Grants Management, and the appropriate Program Guidelines, contain the entire understanding between the parties, and there are no other understandings or representations set forth or incorporated by reference herein. No subsequent modification(s) or amendment(s) of this agreement shall be of any force or effect unless in writing, signed by authorized representatives of the GRANTEE and DEPARTMENT and made a part of this agreement; EXCEPT, that in relation to; 1) change of Project Officer; and 2) project completion and agreement date extensions, the DEPARTMENT may modify or amend this agreement without the signature of the GRANTEE.

STATE OF WASHINGTON
MANAGEMENT DEPARTMENT OF ECOLOGY

KING COUNTY SURFACE WATER
DIVISION
GRANTEE

NORMAN J. STEWART, DATE
PROJECT OFFICER

TIM HILL DATE
KING COUNTY EXECUTIVE

MYRON B. SAIKEWICZ DATE
ACTING PROGRAM MANAGER
WATER QUALITY FINANCIAL ASSISTANCE

Approved as to this form by
Assistant Attorney General