



AGENDA
BOARD OF CLALLAM COUNTY COMMISSIONERS
223 East 4th Street Room 160
Port Angeles, Washington
Tuesday, May 25, 2021 – 9:00 a.m.

****ATTENTION****

In response to the current Governors order Clallam County has moved Phase 3 of the Healthy Washington Roadmap to Recovery Plan. To be in compliance with the Healthy Washington Roadmap to Recovery Plan the following general requirements for COVID safety for meetings held in the Board of Commissioners Board Room are as follows:

1. All attendees are encouraged to provide contact information on a sign in sheet which will be retained
for 28 days for contact tracing purposes.
2. Public seating areas and Board member seating must be arranged to ensure physical distancing is maintained.
3. Meeting attendees must wear a proper face covering and maintain six feet of physical distance between other persons.
4. No food or drink should be consumed in the BOCC Board Room.
5. Meeting organizers shall clean or arrange to have cleaned high-touch surfaces before and after each meeting.
6. Hand sanitizing stations will be available in the BOCC Board Room.
7. Keep doors and windows open where possible to improve ventilation.
8. The Chair of the meeting shall ensure masking and social distancing practices are enforced and practices by all event attendees.

This meeting can be viewed on a live stream at this link:
<http://www.clallam.net/features/meetings.html>

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 875 561 7844 and passcode: 12345

If you would like to participate in the meeting via Zoom video conference, visit <https://zoom.us/j/8755617844> and use meeting ID: 875 561 7844 and passcode: 12345

Public comment and questions can be directed to the Clerk of the Board at 360-417-2256 or agores@co.clallam.wa.us.

CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

Modification to agenda - Item 4b added - Declaration of Emergency Resolution - Courthouse Evacuation

Modification to agenda - Item 4b added - Declaration of Emergency Resolution - Courthouse Evacuation+

PUBLIC COMMENT FOR AGENDA ITEMS – Please limit comments to three minutes

REPORTS AND PRESENTATIONS

CONSENT AGENDA – Any Commissioner may remove items for discussion

- 1a. Approval of vouchers for the week of May 17

Approval of vouchers 

- 1b. Approval of minutes for the week of May 17

Approval of minutes 

CONTRACTS AND AGREEMENTS

- 2a. Memorandum of Understanding with Jamestown S’Klallam Tribe for Class III gaming holding area

Memorandum of Understanding 

- 2b. Agreement with Port Angeles School District for Transition Program Training

Agreement 

- 2c. Agreement amendment 3 with State of Washington County Road Administration Board for Laird Road Reconstruction Project

Agreement amendment 3 

- 2d. Agreement amendment 1 with Department of Ecology for solid waste activities

Agreement amendment 1 

BIDS AND AWARDS

- 3a. Bid opening – Jail Control Room Upgrade and Improvement Project

Bid opening 

- 3b. Bid opening – 2021 Hot Mix Asphalt Requirements

Bid opening 

ADMINISTRATION

- 4a. Notice of hearing to be held Tuesday, June 8, 2021 at 10:30 a.m. for proposed surplus of vehicles

Notice of hearing 

- 4b. Resolution Declaring an Emergency for Evacuation of Courthouse - suspicious package - documents to follow

Resolution Declaring an Emergency for Evacuation of Courthouse - suspicious package 

BUDGET

- 5a. Resolution adopting the following Budget Reductions:
Department of Community Development – Administration – Budget reduction due to removal of Administrative Specialist II position from DCD Administration (1 of 2)/(\$55,595)

Budget Reductions

- 5b. Resolution adopting the following Supplemental Appropriations:
Health and Human Services - Operations
* Additional funds from Department of Health for COVID-19 activities/\$65,666
* Additional funds from Department of Health for public health activities and increasing immunization rates/\$25,457
* Additional funds from Department of Health Consolidated Contract #20 for COVID-19 services/\$1,366,617
Health and Human Services - Environmental Health
* Additional funds from Department of Ecology for Solid Hazardous Waste program activities/\$17,754
* Additional funds from Department of Health Consolidated Contract #20 for COVID-19 services/\$60,000
* Additional funds from Department of Health Consolidated Contract #20 for water system technical assistance and sanitary surveys/\$6,600
Health and Human Services - Administration
* Additional funds from the Department of Health for COVID-19 activities/\$88,589
* Additional funds from Department of Health Consolidated Contract #20 for COVID-19 services/\$60,000
Sheriff - Operation Stonegarden - Additional funds from 2020 Operation Stonegarden Program grant to be expended in FY2021/\$169,763
Department of Community Development - Dungeness Reservoir - Clallam Conservation funding for consulting on the Dungeness Reservoir Project/\$70,000

Supplemental Appropriations

COMMUNITY DEVELOPMENT

- 6a. Update and request a call for hearing to be held Tuesday, June 15, 2021 at 10:30 a.m. on an update of the Clallam County Shoreline Mater Program (SMP) and Administrative Procedures Clallam County Code Title 35, Chapter 35.01, Shoreline Management

Update and request a call for hearing 

HEARING(S) – Beginning at 10:30 a.m.

- H1. Consideration of resolution adopting the following Debatable Emergencies:
Sheriff - Operations - Additional funding for salary and benefits for Planner III position moved from DCD - Long Range Planning to Sheriff Operations/\$69,981
Sheriff - VRF Boating Program - Additional funding for unanticipated engine repair costs/\$11,250
Department of Community Development - Permit Center - Additional funding for salary and benefits for added Planner I position (2 of 2)/\$55,595
Non Departmental - Opportunity Fund - Additional funding for the final 2020 Economic Development Council contract invoice not received until 2021/\$20,000
Parks and Facilities - Additional funding for additional expenses related to COVID 19 for goods and services expenditures incurred in April 2021 expected to be reimbursed through FEMA/\$11,139
Parks and Facilities - REET - Additional funding for emergency replacement of commercial jail clothing dryer/\$17,000
General Fund Reserves - Additional funding for Serenity House shelter expansion (1 of 2)/\$370,000
Health and Human Services - Operations - Additional funding for Serenity House shelter expansion (2 of 2)/\$370,000

Debatable Emergencies

H2. Resolution adopting amendments to Policy 560 – Purchasing, Bidding and Contracts

Resolution adopting amendments to Policy 560

PUBLIC COMMENT – Please limit comments to three minutes

EXECUTIVE SESSION

The Board may recess into Executive Session to consider employment or dismissal of personnel, to review the performance of a public employee, to consult with legal counsel, to consider the position to be taken in collective bargaining, to consider acquisition or sale of real estate, or other matters per RCW 42.30.110

The following meetings are scheduled for the Board of Commissioners May 24 - 28:

Monday, May 24:

9:00 a.m. Work Session

12:00 p.m. WSAC Virtual COVID Update

Tuesday, May 25:

10:00 a.m. Board Meeting

10:30 a.m. Hearing(s) - See Agenda

3:00 p.m. William Shore Memorial Pool District Meeting

Friday, May 28:

10:00 a.m. COVID-19 Briefing

INSTRUCTIONS FOR SPEAKING AT A COMMISSIONERS' MEETING:

- Members of the public wishing to address the Board on general items may do so during the designated times on the agenda.
- Members of the public wishing to comment at the public hearing are asked to sign in on the sheet provided giving their name and address.
- The Chair may limit the comment period to 3 minutes for each speaker subject to Board concurrence.
- Speakers, generally, will be heard in the order they signed up. All comments must be made from the speaker's rostrum and any individual making comments shall first state their name and address for the official record.
- General comments, applause, booing from members of the audience are inappropriate and may result in removal.

These guidelines are intended to promote an orderly system for conducting a public hearing so that each person has an opportunity to be heard and to ensure that exercising their right of free speech embarrasses no one.

Note: Written testimony presented by members of the public during the Board meeting is considered a public document and must be submitted to the Clerk of the Board. Copies of public documents from Board meetings are available by contacting the Public Records Department.

MEMORANDUM

LONI GORES
Clerk of the Board

May 25, 2021



TO: Board of Commissioners, Administrator Sill

RE: Regular Agenda Modification(s)

FILE: A14.09.18

- The following item has been added to the May 25 Regular Agenda:

ADMINISTRATION

4b Resolution Declaring an Emergency for Evacuation of Courthouse – suspicious package

Copies of documents to follow

5-19-21

46
5/25/21



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

Department: BOCC

WORK SESSION ☐ Meeting Date:

REGULAR AGENDA ☒ Meeting Date: 5-25-21

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | |
|--|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☒ Resolution - Emergency | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

On Monday, May 24, 2021, at about 11:30 a.m. a package was discovered in the main lobby of the Clallam County Courthouse. Law Enforcement and the County Administration evaluated the location of the package and determined that it was best to evacuate the courthouse, close to the public for the remainder of the day, and staff located at the courthouse were sent home. Requesting approval of a Declaration of Emergency Resolution.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Requesting approval of a Declaration of Emergency Resolution.

County Official signature & print name:  Rich Sill, Administrator

Name of Employee/Stakeholder attending meeting: Board of Commissioners

Relevant Departments: Board of Commissioners, Payroll, Finance Department, Human Resources

Date submitted: May 25, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Evacuation of Courthouse Emergency 5-24-21

Revised: 3-04-2019



RESOLUTION _____, 2021

DECLARATION OF EMERGENCY
FOR EVACUATION OF THE CLALLAM COUNTY COURTHOUSE
DUE TO A SUSPICIOUS PACKAGE

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. The Clallam County Sheriff's Department and County Administration, has reported to the Board of County Commissioners that an emergency evacuation of the courthouse occurred on Monday, May 24, 2021 due to a suspicious package left in the main lobby of the courthouse.
2. An evacuation of the courthouse was initiated by the Clallam County Sheriff's Department per County policy. The decision to close the courthouse for the remainder of the day was made by the Clallam County Administrator after consultation with available Board members.
3. Staff employed at the courthouse were sent home for the remainder of the work day.

NOW, THEREFORE, BE IT RESOLVED by the Board of Clallam County Commissioners, in consideration of the above findings of fact:

1. A state of emergency is declared due to the finding of a suspicious package within the Clallam County Courthouse on Monday, May 24, 2021 at approximately 11:30 a.m.
2. The courthouse was evacuated and all staff and members of the public were asked to vacate the building.
3. County employees located at the courthouse were directed by the County Administrator to go home for the remainder of the day.
4. Per County policy when the determination is made to close County facilities due to unusual circumstances, employees on duty who leave work due to the closure will be paid for the remainder of their scheduled shift and paid leave need not be charged.

PASSED AND ADOPTED this twenty-fifth day of May 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

Randy Johnson

Bill Peach

ATTEST:

Loni Gores, CMC, Clerk of the Board



1a
5/25/21

Date of report: May 19, 2021

General	\$188,230.24
Other	\$191,481.41
Total	\$379,711.65

STATE OF WASHINGTON)
County of Clallam)

This is to certify that the foregoing Final Check Lists a.k.a., Register of Warrants for the period herein indicated, is a full, true, and correct representation of the corresponding payments for services rendered to and supplies and equipment received by all Clallam County government operations as recorded in the books or original entry maintained by this office.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 2021.

SHOONA RIGGS COUNTY AUDITOR

CLALLAM COUNTY BOARD OF COMMISSIONERS does hereby certify that the services and merchandise herein specified have been received and that the claims listed and numbered above are hereby approved for payment:

BOARD OF COMMISSIONERS
CLALLAM COUNTY, WASHINGTON

MARK OZIAS, Chair

BILL PEACH

RANDY JOHNSON

RICH SILL (County Administrator)

Weekly Expenditures

May 17 - 21, 2021

Fund #	Department	Expenditures		Use Tax	
		General Fund	Other	General Fund	Other
00100.211	Assessor	119.67			
00100.221	Auditor	2,054.11			
12401.221	Auditor - Document Preservation		15.44		
00100.241/291	Commissioners (BOCC)	5,265.95			
19914.291	BOCC - Veterans Relief		6,201.28		
00100.331-334	Dept. of Community Develop't (DCD)	3,452.96			
30301.331	DCD - Lower Dungeness Floodplain		469.74		
00100.871	District Court I	974.36			
11301.511	Health & Human Services (HHS)		38,257.53		
00100.511	HHS - Environmental Health	2,673.94			
11323.511	HHS - Chem Dep/Mental Hlth		29,766.38		
00100.461	Human Resources (HR)	2,685.68			
50401.461	HR - Risk Management		9,976.05		9.50
50501.461	HR - Workers Compensation		831.22		
00100.411	Information Technology (IT)	85,115.66		17.60	
30701.411	IT - Capital Projects		3,711.05		
00100.851	Juvenile Services	1,042.13		13.73	
00100.911/912	Parks Fair Facilities (PFF)	15,050.43			
30101.911	PFF - REET 1 (Real Estate Excise Tax)		400.00		
30501.911	PFF - Capital Projects		6,595.46		
00100.841-843	Prosecuting Attorney	17,267.95			
11701.841	Pros Atty - Local Crime Victim		2,574.25		
	Public Works (PW)				
10101.611	PW - Roads		31,409.38		
30401.331	PW - Dungeness Reservoir		427.51		
40201.611	PW - Solid Waste		448.32		
41401.611	PW - Clallam/Seki Sewer		1,668.29		
42401.611	PW - Carlsborg Sewer		9,902.79		
43401.611	PW - Bullman Beach Water System		281.80		
50301.611	PW - ER&R (Equip't Rental & Revolving)		36,557.13		
00100.811-815	Sheriff	37,880.62		209.29	
00100.816	Sheriff - Jail Medical	279.80			
11003.811	Sheriff - Boating Safety		525.00		
11004.811	Sheriff - VRF Boating Program		75.95		
11008.811	Sheriff - OPNET Drug		52.83		
11065.811	Sheriff - OPSCAN Operations		8,518.11		
11070.811	Sheriff - 24/7 Sobriety		126.75		
11080.811	Sheriff - Inmate Commissary		649.57		1.58
00100.861	Superior Court	13,868.54			
12905.861	Superior Court - Dispute Resolution		835.00		
12911.861	Superior Court - Courthouse Facilitator		880.00		
00100.231	Treasurer	182.69		1.84	
12201.231	Treasurer - O&M (Operation & Maintenance)		313.50		
00100.931	WSU Extension	73.29			
Total		187,987.78	191,470.33	242.46	11.08

Report Reconciliation		Totals			
Total	379,458.11	General Fund	188,230.24		
Final Check Lists	379,458.11	Other	191,481.41		
Difference	-	Total	379,711.65	Use Tax	253.54

COPY

Prepared by: _____
Sara DeBiddle, Clallam County Auditor's Office

Invoice History Use Tax Report
CLALLAM COUNTY

Tran Date	Vendor Name	Invoice / Credit Memo No.	Doc Group	Taxable Amount	Tax Amount	Invoice Total
5/11/2021	U S BANK	3087	dputnam1	156.00	13.73	156.00
5/12/2021	U S BANK	4761-May21	jkoon2	255.39	22.47	373.17
5/12/2021	U S BANK	0165-May21	jkoon2	2,123.00	186.82	2,123.00
5/13/2021	CARDIAC LIFE PRODUCTS INC	169493	tsulleng	108.00	9.50	108.00
5/13/2021	SWANSONS SERVICES CORP.	1440031	jkoon	18.00	1.58	18.00
5/13/2021	U S BANK	W1267004	tteel	199.95	17.60	199.95
5/13/2021	WHITE, JENNIFER	70025056	lpartrid3	20.93	1.84	20.93
Totals:				2,881.27	253.54	2,999.05

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000289	CDW GOVERNMENT, INC.	C062229	5/13/2021	SUBSCRIPTION TO ACROBAT	75.69	75.69
5/25/2021	0020849	U S BANK	USB 4-2021	5/13/2021	PROCTORED EXAM FOR DAL	25.00	25.00
5/25/2021	0021386	STAPLES ADVANTAGE	8062133954	5/13/2021	"SCANNED" STAMP FOR MEG	6.10	6.10
5/25/2021	0033199	LEMAY MOBILE SHREDDING	4700093	5/13/2021	CONFIDENTIAL DOCUMENT I	12.88	12.88
Sub total for U S BANK:							119.67

0.00
379,458.11*
73.29+
1,797.65+
496.19+
15,583.54+
279.80+
36,454.89+
11,373.94+
12,728.71+
31,409.38+
36,557.13+
19,842.20+
22,045.89+
1,042.13+
93,230.34+
13,492.95+
70,697.85+
974.36+
3,922.70+
5,265.95+
2,069.55+
119.67+
0.00

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000087	ANGELES ELECTRIC INC	17040	3/31/2021	OUTLETS OUTSIDE OF AUDI	583.45	583.45
5/25/2021	0000289	CDW GOVERNMENT, INC.	B960577	4/19/2021	ADOBE INDESIGN FOR SHER	165.23	165.23
5/25/2021	0000514	ELECTION CENTER	213979001	5/1/2021	SHOONA RIGGS 2 YEAR BLUI	300.00	300.00
5/25/2021	0003410	LEMAY MOBILE SHREDDING	4699677	5/1/2021	DOCUMENT SHREDDING	15.44	15.44
5/25/2021	0020849	U S BANK	5680122	4/7/2021	INDESIGN CLASS-SHERRY P	115.00	
			5680142	4/7/2021	INDESIGN CLASS-SUSAN JO	115.00	
			5680061	4/7/2021	INDESIGN CLASS-SHOONA F	115.00	
			5680127	4/7/2021	INDESIGN CLASS-CHRIS UM	115.00	
			FAW521-052021	5/6/2021	ANGI'S REGISTRATION	100.00	
			FAW521-052021	5/6/2021	KARENS REGISTRATION	100.00	
			9832571	4/13/2021	KARENS NOTARY BOND	50.00	
			WA3DOL000145	4/13/2021	KAREN'S NOTARY LICENSE	30.00	740.00
5/25/2021	0029632	WAHLSTEN, KAREN	152739	4/14/2021	KARENS NOTARY SEAL STAM	56.58	56.58
5/25/2021	0036103	WSACA	54533428	5/10/2021	WSACA ANNUAL CONFERENI	200.00	200.00
5/25/2021	0040004	CLEAR BALLOT GROUP INC	CBG31574	5/10/2021	ADDITIONAL SALES TAX OWI	8.85	8.85

Sub total for U S BANK:

2069.55
deb

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
	5/25/2021	0001113	OFFICE DEPOT, INC	17174797001	5/12/2021	PAPER	92.22	
				17174726001	5/12/2021	PAPER, WATER BTL, MISC	67.54	
				171568867001	5/12/2021	BLACK ON WHITE TAPE, LAM	63.06	222.82
5/25/2021	0001179	PACIFIC OFFICE EQUIPMENT	1079123	5/12/2021	MAINTENANCE & USAGE - 91	16.92	16.92	
5/25/2021	0001632	U S POSTMASTER	Jury 5/12/2021	5/12/2021	1,000 SUMMONS @ .46	460.00	460.00	
5/25/2021	0004317	COOK, DEBI	5/09/2021	5/12/2021	DISINFECTANT WIPES	10.84	10.84	
5/25/2021	0020849	U S BANK	8239	5/12/2021	EMPLOYEE SERVICE PINS: 1:	2,144.45		
			Amazon 4/26/20:	5/12/2021	MOUSE PAD, BOOKCASE	84.16		
			CRJ 4/23/2021	5/12/2021	CRJ REGISTRATION: HOUSIN	30.00		
			Amazon 4/14/20:	5/12/2021	LARGE MOUSE PAD	27.18		
			Pen Awards 4/20	5/12/2021	STEVE CAMPBELL 18 YRS	19.58	2,305.37	
5/25/2021	0036677	SOUND LAW CENTER	2577	5/12/2021	LDV2021-00002	2,250.00	2,250.00	
Sub total for U S BANK:							5,265.95	

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0001113	OFFICE DEPOT, INC	168912724001	4/29/2021	G133 OPERATING SUPPLY	64.27	
			168915504001	4/29/2021	G133 OPERATING SUPPLY	4.78	69.05
5/25/2021	0001252	PORT ANGELES, CITY OF	APRIL 2021 DCI	5/7/2021	APRIL 2021 LANDFILL DCD CI	1,383.08	1,383.08
5/25/2021	0001641	VERIZON WIRELESS	9878225450	4/22/2021	INSPECTOR APRIL 2021	24.58	24.58
5/25/2021	0001700	WA ST DEPT OF ECOLOGY	21-WAR310143-	5/13/2021	G146 PERMIT	469.74	469.74
5/25/2021	0003762	IN GRAPHIC DETAIL LLC	221542	5/12/2021	BD OPERATING SUPPLY	60.06	60.06
5/25/2021	0004732	WACE, WA ASSN OF CODE EN	199049 MEM/RE	5/12/2021	CE 2021 DUES/REGISTRATIO	75.00	
			JMAJOR DUES	5/10/2021	2021 WACE DUES JESSE MA.	55.00	
			9499902 REG C	5/10/2021	2021 CONFERENCE REGISTF	20.00	150.00
5/25/2021	0018451	WSACRPD	2026 FOR 2021	5/3/2021	2021 DUES - WINBORN	100.00	100.00
5/25/2021	0019707	SHREFFLER ENVIRONMENTA	APRIL 2021	5/6/2021	G133 PROFESSIONAL SERVIC	1,035.00	1,035.00
5/25/2021	0026604	KENNEDY, LORI	KENNEDY 5-10-	5/10/2021	BD OPERATING SUPPLY	77.79	77.79
5/25/2021	0026929	DUNGENESS BEACH ASSOCI	693596	4/30/2021	2021 MTCE PIONEER PK/RIVE	75.00	75.00
5/25/2021	0045141	DELABARRE, GARRET	REF 12-3-19	5/5/2021	REFUND BPT2020-68	84.00	84.00
5/25/2021	0045146	CLAPP, JACK	REF 3-25-21	5/5/2021	REFUND BPT2021-279	394.40	394.40
Sub total for U S BANK:							3,922.70

apChkLst
05/18/2021 11:46:33AM

Final Check List
CLALLAM COUNTY

District Court I

Page: 1

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0001179	PACIFIC OFFICE EQUIPMENT	1080021	5/12/2021	TONER CARTRIDGE	93.96	93.96
5/25/2021	0001509	CORDANT HEALTH SOLUTION	TC-1631004302	4/30/2021	PROBATION UA'S FOR APRIL	198.79	198.79
5/25/2021	0002298	JOHN D BLACK, PLLC	22290	4/12/2021	TREVOR SCHAUER PA20-107	140.00	
			22289	4/12/2021	THOMAS WHITTY PA20-88 CC	140.00	280.00
5/25/2021	0021386	STAPLES ADVANTAGE	3476289797	5/1/2021	OFFICE SUPPLIES	401.61	401.61
Sub total for U S BANK:							974.36

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000335	CLALLAM COUNTY DEPT OF,	PIC 2021 04	5/5/2021	WQ-PIC APRIL 2021	1,495.68	1,495.68
5/25/2021	0000700	HACH COMPANY	12431175	4/29/2021	WLAB-LAB SUPPLIES	425.65	
			12426631	4/27/2021	WLAB-LAB SUPPLIES	50.59	476.24
5/25/2021	0045136	KNEISS LAW PLLC	REFUND-05072	5/7/2021	OSS-APPLICATION FOR REVI	132.00	132.00
5/25/2021	0001179	PACIFIC OFFICE EQUIPMENT	1079168	5/5/2021	EHADMIN-COPIER 10272	138.52	
			1079169	4/30/2021	OSS/WLAB-COPIER 10297	24.83	163.35
5/25/2021	0001602	SPECTRA LABORATORIES, KI	21-03160	5/5/2021	WLAB-WATER TESTING	173.00	
			21-02397	4/21/2021	WLAB-WATER TESTING	35.00	208.00
5/25/2021	0020849	U S BANK	4910-050621-EF	5/6/2021	POOL-POOL TESTING SUPPL	34.01	34.01
5/25/2021	0001617	UNIVERSITY OF WASHINGTO	OTS2449	5/4/2021	WQ-WATER TESTING	5.93	5.93
5/25/2021	0001641	VERIZON WIRELESS	9878258398	4/23/2021	OSS/FOOD-JANINE REED CE	158.73	158.73
5/25/2021	0003993	BAILEY SIGNS & GRAPHICS	2799	4/27/2021	HOPS-VACCINE CLINIC BAN	1,060.80	1,060.80
5/25/2021	0041622	BLANK, LOIS	051021-MILEAG	5/6/2021	HOPS-MILEAGE REIMBURSEI	51.07	51.07
5/25/2021	0022148	CENTURYLINK BUSINESS SE	221466565	4/24/2021	HOPS-FORKS OFFICE 800 LI	8.42	8.42
5/25/2021	0034728	CONTROL SOLUTIONS INC	CS209142	4/22/2021	HOPS-REFRIGERATOR/FREE	67.47	67.47
5/25/2021	0000546	EXPRESS SERVICES, INC	25341565	4/27/2021	HOPS-CALL CENTER REP	3,069.13	3,069.13
5/25/2021	0000593	FORKS, CITY OF	3801.0-050121	5/1/2021	HOPS-FORKS OFFICE WATEI	64.44	64.44
5/25/2021	0000870	KONP RADIO 1450	12108-1	4/30/2021	HOPS-COVID RADIO ADS FOI	2,016.00	2,016.00
5/25/2021	0016427	MCKESSON MEDICAL-SURGI	18155895	4/29/2021	HOPS-PH SUPPLIES	137.88	137.88
5/25/2021	0040427	NORPOINT GROUP LLC	1168 NPG	5/9/2021	HOPS-SDC SECURITY	4,252.00	4,252.00
5/25/2021	0015513	OLYMPIC PENINSULA COMM	L043021-SDC	4/30/2021	HOPS-SDC MEDICAL SVCS/C	6,985.25	6,985.25
5/25/2021	0001179	PACIFIC OFFICE EQUIPMENT	1079132	4/30/2021	HOPS-PH COPIER 9311	184.19	
			1079173	4/30/2021	HOPS-HHS ADMIN COPIER 9	43.76	
			1079171	4/30/2021	HOPS-FORKS OFFICE COPIE	19.80	
			1079172	4/30/2021	HOPS-HHS DIRECTOR COPIE	7.29	255.04
5/25/2021	0001262	PORT OF PORT ANGELES	170295	5/1/2021	HOPS-SDC LEASE MAY 2021	15,000.00	15,000.00
5/25/2021	0001300	PUBLIC UTILITY DISTRICT	20704-042721	4/27/2021	HOPS-FORKS OFFICE UTILIT	129.92	129.92
5/25/2021	0033217	RADIO PACIFIC, INC	12109-1	4/15/2021	HOPS-COVID BANNER WEBS	200.00	200.00
5/25/2021	0001508	STERICYCLE, INC	3005529532	4/26/2021	HOPS-SYRINGE DISPOSAL SI	146.92	146.92
5/25/2021	0020849	U S BANK	4910-050621	5/6/2021	HOPS-SDC SUPPLIES	2,509.71	
			4326-050621	5/6/2021	HOPS-SDC PROPANE	990.72	
			7298-050621	5/6/2021	HOPS-SDC SUPPLIES	591.26	4,091.69

Bank : apbank U S BANK

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0001641	VERIZON WIRELESS	9878658489	5/11/2021	HOPS-HHS OPS CELL PHONE	261.67	
			9878258397	4/23/2021	HOPS-WIC CELL PHONES-WI	169.42	
			9878658491	4/28/2021	HOPS-COVID/SHELTER PHON	159.08	
			9878658490	4/28/2021	HOPS-HELEN KENOYER CEL	92.24	682.41
5/25/2021	0001767	WEST WASTE & RECYCLING	213316	4/30/2021	HOPS-FORKS OFFICE TRASH	39.09	39.09
5/25/2021	0000938	LUTHERAN COMMUNITY SER	11323-21-LCSN\	4/29/2021	CD/MH - CHILD CHECK - MAR	7,671.70	
			11323-21-LCSN\	4/29/2021	CD/MH - HEALTHY FAMILIES -	3,324.35	10,996.05
5/25/2021	0001209	PENINSULA BEHAVIORAL HEA	11323-21-PBH-M	4/23/2021	CD/MH - MENTAL HEALTH FIF	2,025.00	
			11323-21-PBH-F	4/13/2021	CD/MH - PATH OUTREACH SE	1,199.39	
			11323-21-PBH-F	4/21/2021	CD/MH - PATH OUTREACH SE	650.94	3,875.33
5/25/2021	0030719	REFLECTIONS COUNSELING,	11323-21-RCSG	5/4/2021	CD/MH - CRISIS INTERVENTIO	11,216.34	
			11323-21-RCSG	5/4/2021	CD/MH - SUBSTANCE USE DI	3,678.66	14,895.00
Sub total for U S BANK:							70,697.85

Final Check List
CLALLAM COUNTY

HR

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000674	GOVCONNECTION, INC.	71270174	5/13/2021	ORDER 60701158 / ACCT 8786	414.93	414.93
5/25/2021	0001179	PACIFIC OFFICE EQUIPMENT	1079158	5/13/2021	INVOICE 1079158	171.97	
			1079157	5/13/2021	INVOICE 1079157	31.00	
			1079159	5/13/2021	INVOICE 1079159	5.17	208.14
5/25/2021	0001680	WA COUNTIES RISK POOL	C202118018	5/13/2021	INVOICE C202118018	8,102.75	8,102.75
5/25/2021	0020849	U S BANK	42308459	5/13/2021	INVOICE 42308459	540.56	
			42462675	5/13/2021	INVOICE 42462675	504.62	
			42217276	5/13/2021	INVOICE 42217276	500.79	
			43327821	5/13/2021	INVOICE 43327821	454.03	
			11149284267589	5/13/2021	11149284267589844	416.29	
			1212062	5/13/2021	APA E HILL 2021 ORDER 1212	199.00	
			GYNDCF56FG6	5/13/2021	FEDERAL GRANTS - C LIERL	100.00	
			361194941	5/13/2021	ORDER 361194941	69.00	
			11377953697569	5/17/2021	11377953697569023	63.56	
			WAPRO 21 KG	5/13/2021	WAPRO 2021 KG	60.00	
			WAPRO 21 ES	5/13/2021	WAPRO 21 ES	60.00	
			APA LTC ACT EH	5/13/2021	APA LTC ACT EH 2021	60.00	
			WAPRO 21 AB	5/13/2021	WAPRO 21 AB	60.00	
			1134303821030	5/13/2021	1134303821-0301804	36.98	
			233767774	5/13/2021	233767774	29.95	
			234067545	5/13/2021	234067545	29.95	
			11412048089029	5/13/2021	11412048089025058	22.29	
			233700443	5/13/2021	233700443	19.95	
			233700442	5/13/2021	233700442	19.95	
			234069091	5/13/2021	234069091	19.95	
			234607427	5/13/2021	234607427	19.95	
			235538531	5/13/2021	235538531	19.95	
			234607614	5/13/2021	234607614	15.95	
			233700444	5/13/2021	233700444	14.95	
			234067544	5/13/2021	234067544	14.95	
			234069090	5/13/2021	234069090	14.95	
			234686891	5/13/2021	234686891	14.95	
			235538530	5/13/2021	235538530	14.95	3,397.47
5/25/2021	0025324	CEDAR GROVE COUNSELING	15670	5/13/2021	INVOICE 15670	250.00	250.00

Bank : apbank U S BANK

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0028699	SOUND PUBLISHING INC	8022775	5/13/2021	INV 8022775 / ACCT 48140987	49.00	49.00
5/25/2021	0035753	LOOMIS ARMORED US, LLC	12797608	5/13/2021	INVOICE 12797608	757.66	757.66
5/25/2021	0039634	CARDIAC LIFE PRODUCTS INC	169493	5/13/2021	INVOICE 169493	108.00	108.00
5/25/2021	0044480	MINERT & ASSOCIATES	305351	5/13/2021	INVOICE 305351	205.00	205.00
Sub total for U S BANK:							13,492.95

Final Check List
CLALLAM COUNTY

IT

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000268	WAVE BUSINESS	1039512010008	5/13/2021	CPI FIBER COMBINED	6,359.03	6,359.03
5/25/2021	0000289	CDW GOVERNMENT, INC.	SE2100467	5/13/2021	IT20210512E - WINDOWS 10 I	2,460.00	2,460.00
5/25/2021	0000674	GOVCONNECTION, INC.	71218368	5/13/2021	20210409 - VETS CTR NEW C	4,403.63	
			71213204	5/13/2021	PROS20210406 - PC REPLACI	1,251.05	
			71208796	5/13/2021	IT20210406 - SSD DRIVES	580.64	
			71218409	5/13/2021	IT20210412 CABLES	46.87	6,282.19
5/25/2021	0001179	PACIFIC OFFICE EQUIPMENT	1079124	5/13/2021	TAG 9312 - BOCC COPY COU	583.72	
			1079125	5/13/2021	TAG 8510 - IT COPIES	137.15	
			1079126	5/13/2021	TAG 8630 - MULTIMEDIA COP	55.51	776.38
5/25/2021	0001706	CONSOLIDATED TECHNOLOG	2021040319	5/13/2021	IGN PORTION	848.66	848.66
5/25/2021	0003410	LEMAY MOBILE SHREDDING	4699682	5/13/2021	IT SHREDDING DOCUMENTS	362.81	362.81
5/25/2021	0004211	CENTURYLINK	3604172850051	5/13/2021	DID ROLLOVER PRI (PRI ACC	1,358.36	
			206T313735-051	5/13/2021	COURTHOUSE T-1	490.14	
			206T414008-051	5/13/2021	SHERIFF COURTHOUSE LINE	56.84	
			206T413216-051	5/13/2021	JUVIE COURT	41.17	
			3604529079-031	5/13/2021	PUBLIC HEALTH 3RD ST	20.51	
			206T415684-051	5/13/2021	ALARMS	4.38	
			3604521625-031	5/13/2021	TELEPHONE SWITCH MAINT	3.96	1,975.36
5/25/2021	0020039	NATIONAL BUSINESS INSTIT	LMK560395-TDQ	5/13/2021	IT20210426 - FURNITURE	693.06	693.06
5/25/2021	0020849	U S BANK	11180018935700	5/13/2021	IT20210419B - PRINTER REPL	357.18	
			W1267004	5/13/2021	IT20210409 - PRINTER FUSEF	199.95	
			11154824895491	5/13/2021	IT20210419 - OFC SUPPLIES	196.57	
			4431919	5/13/2021	IT20210505 - FURNITURE	162.10	
			11116734749763	5/13/2021	IT20210421 - OFC SUPPLIES /	120.10	
			11125483021701	5/13/2021	IT20210511C - OFC SUPPLIES	117.76	
			11120736999657	5/13/2021	IT20210413 - OFC SUPPLIES	111.33	
			11104344240033	5/13/2021	IT20210512 - AUTOCAD SOFT	94.62	
			11154639809738	5/13/2021	IT20210427 - OFC SUPPLIES /	81.74	
			11190078906152	5/13/2021	IT20210428 - OFC SUPPLIES	53.76	
			16437	5/13/2021	IT20210419C - CABLES	23.91	1,519.02
5/25/2021	0022148	CENTURYLINK BUSINESS	SE222405038	5/13/2021	ALARMS	4.55	4.55
5/25/2021	0023718	AT&T	3604574863LD-(	5/13/2021	JUVIE FAX LINES (3) LONG DI	76.97	
			03060240160011	5/13/2021	WESTEND TOLLFREE LONG	27.51	104.48
5/25/2021	0033218	CLOUDPWR, LLC	2283	5/13/2021	IT20210505A - BOX ANNUAL F	49,993.60	49,993.60

Bank : apbank U S BANK

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0039621	BLUE JEANS NETWORK INC	BJW00019357	5/13/2021	IT20210219C - BLUE JEANS V	7,703.04	7,703.04
5/25/2021	0041047	ZOHO CORPORATION	67056803	5/13/2021	IT20210423 - SERVICE DESK	9,133.76	
			67059659	5/13/2021	IT20210430A - SERVICE DESK	2,171.65	11,305.41
5/25/2021	0044925	A SYSTEMS INTEGRATOR INC	4047	5/13/2021	IT20210503 - UPGRADE AS400	2,842.75	2,842.75
Sub total for U S BANK:							93,230.34

Juv Svcs

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
	5/25/2021	0020849	U S BANK				
			111789	4/1/2021	SOFTWARE LICENSE-RELIAT	182.89	
			082336	5/3/2021	DET FOOD-COSTCO	170.11	
			111607	3/1/2021	SOFTWARE LICENSE-RELIAT	163.21	
			3087	5/1/2021	SOFTWARE LICENSE-CASA M	156.00	
			025004	4/6/2021	DET FOOD-COSTCO	126.36	
			069576	4/19/2021	DET FOOD-COSTCO	116.48	
			020023	4/19/2021	DET FOOD-WALMART	36.44	
			065051A	4/6/2021	DET FOOD & SUPPLIES-WALI	23.77	
			086287	5/3/2021	DET FOOD & SUPPLIES-WALI	14.74	
			940299818559	5/4/2021	POSTAGE-FEDEX	12.66	
			004058	5/3/2021	DET FOOD-FRANZ	10.00	
			007485	4/14/2021	REGISTRATION-FOOD HANDI	10.00	
			080279	4/19/2021	DET FOOD-FRANZ	10.00	
			095210	4/6/2021	DET FOOD-FRANZ	9.47	1,042.13
Sub total for U S BANK:							1,042.13

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000034	AIR FLO HEATING CO	38461736	5/12/2021	CH CLEAN COOLING TOWER	1,414.40	1,414.40
5/25/2021	0000087	ANGELES ELECTRIC INC	17119	5/12/2021	JUV INSTALL PHONE RELAYS	204.00	204.00
5/25/2021	0000172	BAXTER A/P OFFICE	15-730091	5/12/2021	FG OIL FOR FORKLIFT	21.10	21.10
5/25/2021	0000196	BILLS PLUMBING & SANIKAN	Is3606570	5/12/2021	SC SANIKANS	300.00	
			s3606689	5/12/2021	RH SANIKANS	90.00	390.00
5/25/2021	0000359	CLALLAM COUNTY PUBLIC WCGB 4/21		5/12/2021	CB APRIL SEWER	56.50	56.50
5/25/2021	0000546	EXPRESS SERVICES, INC	25374422	5/12/2021	CH COVID CUST WK END 5/2	2,812.95	2,812.95
5/25/2021	0000561	FERGUSON ENTERPRISES IN	9296961	5/12/2021	2110UP CDJ METER & MATEF	939.98	
			9307223	5/12/2021	2110UP CDJ PVC FOR WATEF	318.56	
			9283088	5/12/2021	2110UP CDJ PVC FOR WATEF	292.24	
			9315904	5/12/2021	2110UP CDJ PVC FOR WATEF	122.18	1,672.96
5/25/2021	0000677	GRAINGER INC	9893153685	5/12/2021	JUV CORNER GUARD	60.39	
			9894705244	5/12/2021	JUV DOUBLED COATED TAPE	33.52	93.91
5/25/2021	0000714	HARTNAGEL BLDG SUPPLY IN	819303	5/12/2021	FG 3/8" RADIUS ROUNDOVEF	36.10	36.10
5/25/2021	0001036	MURREYS OLYMPIC DISPOS	A65886791	5/12/2021	SC APRIL GARBAGE	1,395.09	
			6586776	5/12/2021	DRA APRIL GARBAGE	624.27	
			6579060	5/12/2021	CH APRIL RECYCLE	416.53	
			6579335	5/12/2021	SC APRIL RECYCLE	283.76	
			6579336	5/12/2021	DRA APRIL RECYCLE	152.80	
			6579111	5/12/2021	CH APRIL RECYCLE	87.34	
			6579087	5/12/2021	VET APRIL RECYCLE	33.03	2,992.82
5/25/2021	0001156	OLYPEN INC	210510-0015	5/12/2021	DRA INTERNET	18.00	18.00
5/25/2021	0001198	PART WORKS INC, THE	inv67234	5/12/2021	JUV FAUCE AND SUPPLY TUE	138.23	138.23
5/25/2021	0001203	PEN PRINT INC	38654	5/12/2021	DRA SC PRINT 9500 CAMP FE	1,343.68	1,343.68
5/25/2021	0001300	PUBLIC UTILITY DISTRICT	22216 4/21	5/12/2021	CDJ APRIL ELECT	251.11	
			25837 4/21	5/12/2021	DRA APRIL ELECT	185.68	
			25839 4/21	5/12/2021	DRA APRIL ELECT	160.28	
			25840 4/21	5/12/2021	DRA APRIL ELECT	145.78	
			25838 4/21	5/12/2021	DRA APRIL ELECT	47.41	790.26
5/25/2021	0001540	SWAIN'S GENERAL STORE IN	286673	5/12/2021	M UNIFORM PANTS (2) A FAZ	135.58	
			286698	5/12/2021	FWB PAINT AND SUPPLIES	46.29	
			286521	5/12/2021	CDJ SEED MIX	38.05	219.92
5/25/2021	0001576	THURMAN SUPPLY	753609	5/12/2021	DRA PLUMBING MATERIALS I	126.94	
			753630	5/12/2021	DRA PLUMBING MATERIALS I	74.94	201.88

Final Check List
CLALLAM COUNTY

Bank : apbank U S BANK

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0002416	WA ST DEPT OF LABOR & IN	279392	5/12/2021	CH JAIL ELEVATOR PERMITS	281.30	281.30
5/25/2021	0020849	U S BANK	CoPA 21-000004	5/12/2021	2009FAC ELECTRICAL PLAN I	400.00	
			Viasat CDJ 4/21	5/12/2021	CDJ APRIL SATELLITE INTERI	95.65	
			Viasat SC 4/21	5/12/2021	SC APRIL SATELLITE INTERN	70.64	
			amaz 2941007	5/12/2021	ADM FILE CABINET FRAME, F	47.81	
			Workamper 928	5/12/2021	DRA ONLINE AD FOR CAMP F	39.00	
			amaz 5735413	5/12/2021	ADM EXTRA CAPACITY HANG	28.28	
			amaz 0338642	5/12/2021	ADM ORGANIZERS	17.40	
			amaz 5856252	5/12/2021	ADM REPLACEMENT INK CAF	11.48	
			amaz 4351461	5/12/2021	DRA COIN WRAPPERS	7.93	718.19
5/25/2021	0035842	CLALLAM CO PARKS CREDIT	Apr 2021	5/12/2021	DRA SC APRIL CAMP RESER\	1,434.49	1,434.49
5/25/2021	0037225	JACKSON, DALE	817-21-01 4/21	5/12/2021	2006FAC APRIL 2021 PROJEC	4,922.50	4,922.50
5/25/2021	0045144	BRADLEY REANDEAU LLC	ccp-223-01	5/12/2021	CH CLEAN PARKING LOT CA1	2,282.70	2,282.70
Sub total for U S BANK:							22,045.89

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000546	EXPRESS SERVICES, INC	25341579	5/13/2021	EXPRESS SERVICES	3,590.64	
			25314525	5/13/2021	EXPRESS SERVICES	3,141.14	6,731.78
5/25/2021	0000890	LANGUAGE LINE SERVICES, I	10226832	5/13/2021	LANGUAGE LINE	152.47	152.47
5/25/2021	0001113	OFFICE DEPOT, INC	166209280001	5/13/2021	OFFICE SUPPLIES	147.89	
			172354398001	5/13/2021	OFFICE SUPPLIES	66.38	214.27
5/25/2021	0001641	VERIZON WIRELESS	9878317880	5/13/2021	VERIZON	953.74	953.74
5/25/2021	0001764	WEST PAYMENT CENTER, TH	844286235	5/13/2021	WESTLAW	3,433.00	
			844374093	5/13/2021	WESTLAW	398.24	3,831.24
5/25/2021	0004368	NICHOLS, MARK	5/13/21NICHOLS	5/13/2021	MARK NICHOLS REIMBURSEI	71.87	71.87
5/25/2021	0019516	LINDE PRICE FUNERAL SERV	373999	5/13/2021	CORONER	200.00	200.00
5/25/2021	0020849	U S BANK	8433932303	5/13/2021	WESTLAW	3,432.99	
			844016478	5/13/2021	WESTLAW	372.19	
			8441875531	5/13/2021	WEST LAW	297.76	
			1240	5/13/2021	ROCKET TRANSPORTATION	126.80	
			016635	5/13/2021	CERTFIED DOCUMENTS	90.50	
			844187553	5/13/2021	CIVIL PORTION	74.43	
			5/13/21BEENVE	5/13/2021	BEEN VERFIED	57.05	
			3SFG4Z	5/13/2021	WITNESS FEES	40.00	
			11443588216882	5/13/2021	OFFICE SUPPLIES	39.00	
			1498754	5/13/2021	LEMAY SHREDDING	23.59	
			222344604	5/13/2021	CORONER/TRAVEL	16.40	
			1500913	5/13/2021	LEMAY SHREDDING	12.88	
			0201552000	5/13/2021	CORONER/TRAVEL	7.00	4,590.59
5/25/2021	0024413	OLYMPIC PROCESS SERVICE	4242	5/13/2021	PROCESS SERVER	300.00	300.00
5/25/2021	0039815	SUTHERLAND, ROCHELLE	SUTHERLAND5	5/13/2021	MILEAGE REIMBURSEMENT	38.64	38.64
5/25/2021	0041149	SEATTLE CHILDREN'S HOSPI	12944533	5/13/2021	SEATTLE CHILDRENS/CORO	2,757.60	2,757.60
Sub total for U S BANK:							19,842.20

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000043	ALDERSON AUTO BODY, INC	11624	5/6/2021	Repair and refinish - PA S354	8,859.03	8,859.03
5/25/2021	0000099	A-1 AUTO PARTS	1321355	5/5/2021	12 volt, rocker 4P, AC/htr relay-	274.21	274.21
5/25/2021	0000172	BAXTER A/P OFFICE	15-728813	4/20/2021	Fuel cap - PA CG7	4.89	4.89
5/25/2021	0000546	EXPRESS SERVICES, INC	25374421 E	5/4/2021	Personnel services - PA ER&R :	1,239.60	1,239.60
5/25/2021	0000848	PAPE KENWORTH NORTHWE	10609364	5/7/2021	3-pin Deutsch - PA 20-SMTOOL	288.85	288.85
5/25/2021	0000917	LINCOLN INDUSTRIAL CORP	158723	5/11/2021	Tail gate latch assembly - PA 21	117.46	
			158725	5/11/2021	HR Square 1/2" - PA 720	19.95	137.41
5/25/2021	0001059	NC MACHINERY CO	PACS0117112	5/4/2021	Handle A - PA 836	145.87	145.87
5/25/2021	0001187	PAPE MACHINERY INC	12694043	5/3/2021	Snap rings - PA 451	81.87	81.87
5/25/2021	0001251	PORT ANGELES AUTO GLASS	71554	5/11/2021	Repair rock chip in windshield -	54.40	54.40
5/25/2021	0001252	PORT ANGELES, CITY OF	152934&154358	5/8/2021	Utility charges - PA	3,310.51	3,310.51
5/25/2021	0001300	PUBLIC UTILITY DISTRICT	22716/05042021	5/4/2021	Utility charges - CB	121.05	121.05
5/25/2021	0001405	LES SCHWAB TIRE CENTERS	38000651781	5/6/2021	Tires - PA Stores	2,063.45	2,063.45
5/25/2021	0001551	TACOMA SCREW PRODUCTS	14408229	5/4/2021	Bolts, nuts, washers - PA	44.03	44.03
5/25/2021	0001720	WA ST DEPT OF REVENUE	4559-001-00022	5/4/2021	Underground Storage tank licer	737.32	
			4559-001-00012	5/4/2021	Underground Storage tank licer	555.49	1,292.81
5/25/2021	0004191	STEEBY, JAMES	24-06960-17291	4/22/2021	NAPA wet graphite lube spray -	32.44	32.44
5/25/2021	0004211	CENTURYLINK	4766812B/05052	5/5/2021	Phone service - CH 20-FICH	83.12	83.12
5/25/2021	0005032	OWEN EQUIPMENT COMPAN	101773	5/4/2021	Flight-rubber S, couplers - PA 4	935.40	
			101777	5/4/2021	Sensor-tilt - PA 417	529.23	1,464.63
5/25/2021	0017663	ARAMARK UNIFORM SVCS IN	512000049959	5/4/2021	Laundry services - PA	38.57	
			512000051864	5/6/2021	Laundry services - LC	16.28	54.85
5/25/2021	0020849	U S BANK	0328-F71363	4/28/2021	15gpm 12v dc hd pump - SQ 10	326.39	
			0328-2864264	4/19/2021	Am. Fleet: Fuel filter elements -	101.94	
			6048-6208245	4/5/2021	Amzn: Finn-karelia casters set -	98.36	
			0328-7023422	4/2/2021	Amzn: Turbo: LED headlight as	75.94	
			0328-7778	4/28/2021	Advance Truck: fan switch - SQ	58.50	
			0328-0622441	4/12/2021	H.Depot: Coupling, solvent, pipe	57.98	
			7330-2725821	4/21/2021	Amzn: Clock & cover - PA	46.76	
			0328-5321868	4/15/2021	Amzn: King Phenix, Seat cushio	36.88	
			6048-4613031	7/8/2021	HDepot: Dbl cvr clr 2-gang - SC	33.08	
			0328-508813	4/12/2021	Co-Op Farm/Garden: 4" adapte	17.17	
			0328-5511374	4/7/2021	H.Depot: Hex bolts - SQ 215	7.59	860.59
5/25/2021	0021386	STAPLES ADVANTAGE	8062217976	5/8/2021	8.x11 paper purchase - PA	187.57	187.57

Bank : apbank U S BANK			(Continued)					
Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
	5/25/2021	0022435	RACE STREET AUTO PARTS	535028	5/12/2021	Brake pad/rotors - PA S301	388.27	
				532897	4/28/2021	Delo grease - SQ	213.25	
				534186	5/6/2021	Fuel / oil / air filters - PA 177	152.60	
				532852	4/28/2021	Anti static fuel hose - SQ 105	82.60	
				534746	5/11/2021	Vent visors - PAA55	65.23	
				534203	5/6/2021	Oil filter, wipers, washer fluid - 1	54.51	
				532020	4/22/2021	Oil, air filters - PA Stores	32.48	
				534104	5/6/2021	Air filters - PA Stores	28.81	
				532898	4/28/2021	Fuel filter, washer fluid - SQ 105	14.71	
				531713	4/20/2021	Fuel cap, teathered - PA CG7	13.21	
				531822	4/21/2021	Oil filter - SQ 401	13.09	
				531701	4/20/2021	Fuel cap - PA CG7	9.78	
				531816	4/21/2021	Return: Fuel cap - PA CG7	-9.78	
				534124	5/6/2021	Return: filter kit - PA CG7	-41.50	
				531064	4/16/2021	Retur core deposit - PA 57	-47.87	969.39
	5/25/2021	0034677	TEREX USA LLC	7120025	5/6/2021	Annual Genie aerial inspection	669.12	
				7120026	5/6/2021	Annual boom inspect; dielectric	662.32	
				7120027	5/6/2021	Annual inspect.; dielectric test-F	625.60	1,957.04
	5/25/2021	0043469	PETROCARD	150810-IN	5/10/2021	Diesel/UL fuel purchases - LC	6,654.22	
				411825-IN	5/12/2021	Diesel/UL fuel purchases - CB	6,375.30	13,029.52
Sub total for U S BANK:							36,557.13	

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000091	ANGELES MILLWORKS & LUM	287992	5/11/2021	MAINTENANCE SUPPLIES - C	29.62	29.62
5/25/2021	0000114	ARROW SEPTIC PUMPING SE	0421	4/27/2021	DPRA SEWAGE PUMPING	2,278.50	2,278.50
5/25/2021	0000172	BAXTER A/P OFFICE	15-730563	5/11/2021	MAINTENANCE SUPPLIES - P	33.76	33.76
5/25/2021	0000196	BILLS PLUMBING & SANIKAN	IS3606645	5/1/2021	05/21~06/21 ODT SANIKANS	280.00	
			S3606566	5/1/2021	05/21~06/21 ELWHA KIOSK S/	255.00	535.00
5/25/2021	0000377	PACWEST MACHINERY LLC	20346678	5/13/2021	RENTAL ROLLER - SQ	5,548.80	5,548.80
5/25/2021	0000546	EXPRESS SERVICES, INC	25374421-10101	5/4/2021	04/26/21~05/02/21 ROADS	8,274.33	8,274.33
5/25/2021	0000714	HARTNAGEL BLDG SUPPLY IN	819376	5/11/2021	MAINTENANCE SUPPLIES - P	39.28	39.28
5/25/2021	0001094	NORTHWEST LININGS INC	0088028-IN	4/30/2021	MAINTNENACE SUPPLIES - P	739.84	739.84
5/25/2021	0001156	OLYPEN INC	210511-0019	5/11/2021	05/21~06/21 MLS, OLS	40.50	40.50
5/25/2021	0001253	PORT ANGELES SOLID WAST	71361/71502	5/7/2021	LITTER PICKUP DISPOSAL - S	43.29	43.29
5/25/2021	0001300	PUBLIC UTILITY DISTRICT	30702-050521	5/5/2021	04/03/21~05/02/21 66 LOWER	46.21	46.21
5/25/2021	0001551	TACOMA SCREW PRODUCTS	14408228	5/4/2021	MAINTENANCE SUPPLIES - P	37.88	37.88
5/25/2021	0001740	WSU EXTENSION OF CLALLA	421	5/11/2021	NOXIOUS WEED MANAGEME	7,043.06	7,043.06
5/25/2021	0004437	BERNTSEN INTERNATIONAL	I224290	5/10/2021	CRP SUPPLIES - SURVEY	761.43	761.43
5/25/2021	0016373	WESTERN CONFERENCE OF	04/21TEAMPEN	4/30/2021	04/21 TEAMSTER PENSION (E	331.75	331.75
5/25/2021	0017663	ARAMARK UNIFORM SVCS IN	512000051886	5/6/2021	LAUNDRY SERVICE - SQ	16.27	16.27

Final Check List
CLALLAM COUNTY

Bank : apbank U S BANK

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0020849	U S BANK	3953-0791-0421	4/6/2021	CENTURYLINK - 300510791	320.47	
			3953-042119255	4/2/2021	WCI*MURRAYS - DPRA GARB	260.04	
			3953-0809052	4/27/2021	AMAZON - LC MAINTENANCE	219.14	
			6048-83850	4/6/2021	APNGA - FACILITIES SUPPLIE	210.00	
			7330-042721HF	4/27/2021	HARBOR FREIGHT - PA MAIN	195.75	
			3953-1356-0421	4/6/2021	CENTURYLINK - 300561356	126.20	
			0328-011954	4/5/2021	OFFICE DEPOT - SQ OFFICE	71.59	
			0328-9582898	4/6/2021	CHEVRON - FUEL FOR BROO	69.71	
			0328-082957	4/6/2021	SHELL - FUEL FOR BROOM R	40.80	
			6048-8731408	5/2/2021	AMAZON - ODT MAINTENANC	38.78	
			0328-53720521C	4/27/2021	COSTCO - SQ MAINT SUPP	38.59	
			0328-3524531	4/29/2021	MAINTENANCE SUPPLIES - S	38.05	
			6048-9755412	4/15/2021	AMAZON - ODT MAINTENANC	30.24	
			6048-0839413	4/19/2021	AMAZON - FACILITIES SUPPL	27.47	
			3953-1506234	4/26/2021	WCI*SHRED - DOCUMENT DE	12.88	
			0328-04075342	4/6/2021	GOOD TO GO - BRIDGE TOLL	6.00	
			0328-04075343	4/6/2021	GOOD TO GO - BRIDGE TOLL	6.00	
			0328-6000263 C	4/30/2021	MAINTENANCE SUPPLIES - S	-27.32	1,684.39
5/25/2021	0022435	RACE STREET AUTO PARTS	532899	4/28/2021	MAINTENANCE SUPPLIES - S	91.36	91.36
5/25/2021	0036423	TEC EQUIPMENT INC	721712K	5/12/2021	MAINTENANCE SUPPLIES - P	98.91	98.91
5/25/2021	0039087	ECO-COUNTER INC	120289	5/10/2021	CONTRACT RENEWAL - TRAI	350.00	350.00
5/25/2021	0041763	KONOPASKI, KEVIN W AND KF	101-19-011 FNC	5/11/2021	FENCING ON EPA	2,994.60	
			101-19-012 FNC	5/11/2021	FENCING ON EPA	390.60	3,385.20
Sub total for U S BANK:							31,409.38

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000348	CLALLAM COUNTY DEPT OF,	21-0471	5/10/2021	NITRATE/COLIFORM TESTING	360.00	360.00
5/25/2021	0000422	CREASEY, CAROL	CREASEY05312	5/31/2021	MILEAGE REIMBURSEMENT	30.13	30.13
5/25/2021	0000546	EXPRESS SERVICES, INC	25374452	5/4/2021	04/26/21~05/02/21 ASPELUND	37.38	37.38
5/25/2021	0000546	EXPRESS SERVICES, INC	25374421-40201	5/4/2021	04/26/21~05/02/21 SOLID WAS	448.32	448.32
5/25/2021	0000594	DECKER CITY HARDWARE, TI	644899	5/7/2021	MAINTENANCE SUPPLIES - V	123.05	123.05
5/25/2021	0000841	KAMAN IND TECHNOLOGIES	C902349	4/30/2021	MAINTENANCE SUPPLIES - V	44.41	44.41
5/25/2021	0001300	PUBLIC UTILITY DISTRICT	22718-050421	5/4/2021	03/31/21~04/30/21 410 FRONT	850.14	
			22602-050421	5/4/2021	03/30/21~04/30/21 BOGACHIE	234.00	1,084.14
5/25/2021	0020849	U S BANK	3953-1116-04.21	4/6/2021	CENTURYLINK - 300561116	242.97	242.97
5/25/2021	0001781	WHITEHEADS AUTO PARTS IN	194610	5/7/2021	MAINTENANCE SUPPLIES - V	173.72	173.72
5/25/2021	0001426	SEQUIM, CITY OF	4405.0.0421 US	4/30/2021	04/01/21~04/30/21 SEWER US	7,431.23	
			4405.0.0421 BS	4/30/2021	04/01/21~04/30/21 BASE SEW	2,045.00	9,476.23
5/25/2021	0020849	U S BANK	6048-5906601	4/16/2021	AMAZON -CLS MAINT SUPPLI	139.95	
			6048-0917824	4/16/2021	AMAZON - HOSE AND FITTING	87.85	
			6048-110076	4/20/2021	BLUEWHITE-CLS MAINT SUP	77.68	
			6048-5729812	4/19/2021	AMAZON - HOSE AND FITTING	47.64	
			6048-2376262	4/29/2021	AMAZON -CLS MAINT SUPPLI	20.60	
			6048-5687442	4/28/2021	AMAZON -CLS MAINT SUPPLI	20.60	
			6048-3250638	4/28/2021	AMAZON -CLS MAINT SUPPLI	17.05	
			6048-5620082	5/7/2021	HOME DEPOT - CLS SUPPLIE	15.19	426.56
5/25/2021	0000348	CLALLAM COUNTY DEPT OF,	21-0479	5/10/2021	WATER TESTING - BRG TAP	23.00	23.00
5/25/2021	0000546	EXPRESS SERVICES, INC	25374421-43401	5/4/2021	04/26/21~05/02/21 BBWA	258.80	258.80
Sub total for U S BANK:							12,728.71

Sheriff (1)

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
	5/25/2021	0001439	SHERIFFS ADVANCED TRAVE	5244	3/31/2021	NATE CLARK	678.99	
			5247	4/8/2021	ROBERT ORTH	289.71		
			5240	3/24/2021	DYLAN HECK	285.00		
			5242	3/25/2021	DON KITCHEN	285.00		
			5245	3/31/2021	SHAUN MINKS	228.75	1,767.45	
	5/25/2021	0020849	U S BANK	6236-May21	5/6/2021	CLEAR CRK RV, COASTAL, 76	2,556.09	
				0165-May21	5/6/2021	XPANDA SECURITY PRODUC	2,123.00	
				4738-May21	5/6/2021	GLOBAL, GOOD2GO, COEUR	1,119.49	
				0097-May21	5/6/2021	SAFEWAY,PENNAWARDS,EB,	944.01	
				7275-May21	5/6/2021	WILDER, TRANCO, COEUR D	931.32	
				0945-May21	5/6/2021	HARBOR FREIGHT, WALMAR	716.74	
				6528-May21	5/6/2021	AMAZON, SWAINS, DIRECTV	453.73	
				4761-May21	5/6/2021	VANGUARD, WALMART, LANI	373.17	
				6730-May21	5/6/2021	AMAZON, GALLS	169.79	
				7400-May21	5/6/2021	SIMPLISAFE,AMAZON,SWAIN	139.45	
				8739-May21	5/6/2021	WS FERRIES, WIRELESS SEF	79.70	9,606.49
Sub total for U S BANK:							11,373.94	

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000179	BEERS, RICHARD B	Jun 2021	5/13/2021	RENTAL AGREEMENT	525.00	525.00
5/25/2021	0000268	WAVE BUSINESS	1032293-02-May	5/1/2021	CABLE - INMATES	333.62	333.62
5/25/2021	0000268	WAVE BUSINESS	1240306-01-May	5/1/2021	DIGITAL ACCESS	122.30	122.30
5/25/2021	0000268	WAVE BUSINESS	1032290-02-May	5/1/2021	CABLE - CCSO	1.67	1.67
5/25/2021	0000296	CENTURYLINK	410622965-May	5/6/2021	DATA CONNECTION MAY 6T	7,050.47	7,050.47
5/25/2021	0000296	CENTURYLINK	406092135-May	5/6/2021	DATA CONNECTION MAY 6T	1,236.58	1,236.58
5/25/2021	0000296	CENTURYLINK	300421654-May	5/6/2021	TELEPHONE SERVICE MAY	225.80	225.80
5/25/2021	0000354	CLALLAM COUNTY SEWER DI	1481- May21	5/10/2021	CLALLAM BAY/SEKIU SEWER	56.50	56.50
5/25/2021	0000628	GALLS LLC	018241387	4/28/2021	UNIFORM - WATERHOUSE, S	162.11	
			018260925	4/30/2021	UNIFORM - WATERHOUSE, S	137.07	299.18
5/25/2021	0000812	JIFFY CLEANERS	051021	5/10/2021	UNIFORM CLEANING & JAIL L	8,121.77	8,121.77
5/25/2021	0000918	LINCOLN STREET STATION	Account1-May21	5/6/2021	SHIPPING CHARGES	19.12	19.12
5/25/2021	0001136	OLYMPIC MEDICAL CENTER	460176-Apr21	4/8/2021	BLOOD DRAW	56.75	56.75
5/25/2021	0001148	OLYMPIC SPRINGS INC	338649	4/23/2021	WATER	164.34	
			338373	4/9/2021	WATER	164.34	
			338923	4/30/2021	WATER COOLER RENTAL	43.30	371.98
5/25/2021	0001179	PACIFIC OFFICE EQUIPMENT	1079660	4/30/2021	MAINTENANCE AGREEMENT	485.48	
			1079662	4/30/2021	MAINTENANCE AGREEMENT	357.46	
			1079664	4/30/2021	MAINTENANCE AGREEMENT	345.10	
			1078673	4/23/2021	MAINTENANCE AGREEMENT	320.96	
			1079670	4/30/2021	MAINTENANCE AGREEMENT	95.56	
			1079658	4/30/2021	MAINTENANCE AGREEMENT	80.02	
			1079661	4/30/2021	MAINTENANCE AGREEMENT	78.78	
			1079663	4/30/2021	MAINTENANCE AGREEMENT	63.59	
			1079659	4/30/2021	MAINTENANCE AGREEMENT	33.45	
			1079669	4/30/2021	MAINTENANCE AGREEMENT	27.69	
			1079666	4/30/2021	MAINTENANCE AGREEMENT	25.17	
			1079672	4/30/2021	MAINTENANCE AGREEMENT	19.24	
			1079668	4/30/2021	MAINTENANCE AGREEMENT	14.50	
			1079671	4/30/2021	MAINTENANCE AGREEMENT	9.06	
			1079667	4/30/2021	MAINTENANCE AGREEMENT	0.07	1,956.13
5/25/2021	0001203	PEN PRINT INC	38661	5/7/2021	FORMS USED AT VACCINATIC	592.96	592.96
5/25/2021	0001252	PORT ANGELES, CITY OF	70395	1/14/2021	SEX OFFENDER ADDRESS VI	4,961.60	
			82495-151160-M	5/8/2021	UTILITIES - FRONT ST	407.37	5,368.97

Bank : apbank U S BANK

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0001300	PUBLIC UTILITY DISTRICT	22794-May21	5/4/2021	UTILITIES - FRONTIER #1	248.07	
			96237-May21	5/4/2021	UTILITIES - FRONTIER #2	48.69	
			65837-May21	5/3/2021	MORSE CRK HOOKUP	46.21	342.97
5/25/2021	0001420	SECURITY SERVICES NW INC	115993	5/1/2021	TELEPHONE ANSWERING SE	247.50	247.50
5/25/2021	0001426	SEQUIM, CITY OF	Jun 2021	5/13/2021	LEASE AGREEMENT	1,100.00	
			3rd Qtr 2020-202	5/13/2021	SEX OFFENDER ADDRESS VI	852.78	1,952.78
5/25/2021	0001543	SWANSONS SERVICES CORP	1440031	5/6/2021	INDIGENT PACKS	18.00	18.00
5/25/2021	0001641	VERIZON WIRELESS	9878317878	4/23/2021	CELL PHONE SERVICE	672.75	672.75
5/25/2021	0003410	LEMAY MOBILE SHREDDING	4699685	5/1/2021	SHREDDING	51.52	
			4699679	5/1/2021	SHREDDING	12.88	64.40
5/25/2021	0004211	CENTURYLINK	360-417-5383-M	5/2/2021	INTERNET SERVICE MAY 2N	65.00	65.00
5/25/2021	0004361	USA TODAY	0015563436	5/2/2021	INMATE NEWSPAPERS	93.75	93.75
5/25/2021	0014681	PROFORCE LAW ENFORCEM	448783	5/10/2021	S&W MP2C 9MM PST NS 15R	481.90	481.90
5/25/2021	0017787	DAIRY FRESH FARMS INC	8082109822	4/8/2021	FOOD	372.18	
			8082111923	4/29/2021	FOOD	316.81	
			8082109124	4/1/2021	FOOD	304.44	
			8082111222	4/22/2021	FOOD	231.57	
			8082110518	4/15/2021	FOOD	192.12	1,417.12
5/25/2021	0020862	GERMAN, NANCY	Jun 2021	5/13/2021	LEASE AGREEMENT	2,166.12	2,166.12
5/25/2021	0021386	STAPLES ADVANTAGE	8062133938	5/1/2021	OFFICE SUPPLIES	215.75	215.75
5/25/2021	0024819	QUILEUTE TRIBE	Jun 2021	5/13/2021	LEASE AGREEMENT	1,200.00	1,200.00
5/25/2021	0029266	NI GOVERNMENT SERVICES	I21042909221	5/1/2021	SATELLITE PHONE SERVICE	44.08	44.08
5/25/2021	0032992	STYLER EMBROIDERY & DES	011748	4/30/2021	EMBROIDERY ON BOATING S	75.95	75.95
5/25/2021	0037042	OFFICE DEPOT	170792054001	4/30/2021	OFFICE SUPPLIES	463.33	
			170018906001	4/29/2021	OFFICE SUPPLIES	226.18	
			170796211001	4/30/2021	OFFICE SUPPLIES	91.76	781.27
5/25/2021	0037247	HAIR BY NICOLE	051121	5/11/2021	INMATE HAIRCUTS	150.00	150.00
5/25/2021	0043250	SMART START LLC	13	5/7/2021	BREATHCHECK FEES	126.75	126.75
Sub total for U S BANK:							36,454.89

apChkLst
05/19/2021 9:58:08AM

Final Check List
CLALLAM COUNTY

Sheriff Jail Med

Page: 1

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
	5/25/2021	0025115	RADIA INC PS	Z7TLZTC	5/13/2021	INMATE MEDICAL	88.60	
				z7tlzyb	5/13/2021	INMATE MEDICAL	28.80	
				7TLZQD	5/13/2021	INMATE MEDICAL	24.80	
				Z7TLZRE	5/13/2021	INMATE MEDICAL	24.60	166.80
	5/25/2021	0039487	ALBERTSONS LLC	2104CCJMP010	5/3/2021	INMATE MEDICINE	113.00	113.00
Sub total for U S BANK:							279.80	

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
5/25/2021	0000357	CLALLAM-JEFFERSON CO	PR04-21 CF	5/12/2021	APRIL 2021 - COURT FACILITY	880.00	880.00
5/25/2021	0001212	PENINSULA DISPUTE RESOL	104-21 PDRC	5/12/2021	APRIL 2021 - PDRC SURCHAF	835.00	835.00
5/25/2021	0000716	HAYDEN, JOHN F	JH 05-21	5/13/2021	MAY 2021 - CHINS/YAR ATTOF	2,333.33	2,333.33
5/25/2021	0002298	JOHN D BLACK, PLLC	JB 05-21	5/13/2021	MAY 2021 - JUVENILE OFFEN	700.00	700.00
5/25/2021	0001607	KAREN L UNGER, P.S.	KU 05-21	5/13/2021	MAY 2021 - ADULT CRIMINAL	3,000.00	3,000.00
5/25/2021	0020134	STANLEY B MYERS, JR, ATTO	SM 05-21	5/13/2021	MAY 2021 - ADULT CRIMINAL	3,000.00	3,000.00
5/25/2021	0021617	WOLFLEY LAW OFFICE P.S.	LW 05-21	5/13/2021	MAY 2021 - ADULT CRIMINAL	3,000.00	3,000.00
			JW 05-21	5/13/2021	MAY 2021 - CONTEMPT SUPP	375.00	3,375.00
5/25/2021	0000087	ANGELES ELECTRIC INC	17107	5/11/2021	4/30/21-JUVENILE DETENTIOI	546.69	546.69
5/25/2021	0020849	U S BANK	0272182036555	5/11/2021	5/04/21-ALASKA AIRLINES TIC	570.35	570.35
5/25/2021	0020849	U S BANK	00000007	5/12/2021	5/05/21-JUROR BUTTONS FO	130.56	
			AMA1705575	5/12/2021	5/10/21-AMAZON, LAPTOP AD	110.31	
			9878317884	5/12/2021	APRIL 2021 - VERIZON CELL	50.22	291.09
5/25/2021	0020849	U S BANK	DOL1705683	5/13/2021	4/19/21-DOLLAR TREE, DRUG	52.08	52.08
Sub total for U S BANK:							15,583.54

Treasurer

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
	5/25/2021	0000331	CLALLAM COUNTY AUDITOR	21-128648	5/11/2021	DFL REMOVAL RECORDING 2	104.50
				21-128756	5/11/2021	CURRENT USE REMOVAL RE	104.50
				21-128838	5/11/2021	DFL REMOVAL RECORDING 2	104.50
	5/25/2021	0001179	PACIFIC OFFICE EQUIPMENT	1079166	5/11/2021	COPY MACHINE MAINTENAN	161.76
	5/25/2021	0041157	WHITE, JENNIFER	70025056	5/11/2021	INK FOR RECEIPT PRINTERS	20.93
Sub total for U S BANK:							496.19

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
	5/12/2021	0000268	WAVE BUSINESS	WAVE 5/12/21	5/12/2021	VET CENTER PHONE	102.65	102.65
	5/12/2021	0000360	CLALLAM COUNTY ER&R	COUNTY ER&R	5/12/2021	VEHICLE RENTAL	45.00	45.00
	5/12/2021	0020849	U S BANK	WC1067 5/12/21	5/12/2021	FOOD	250.00	
				BR7402 5/12/21	5/12/2021	FUEL	150.00	
				CW0491 5/12/21	5/12/2021	FOOD	150.00	
				JJ2522 5/12/21	5/12/2021	FOOD	150.00	
				MD5127 5/12/21	5/12/2021	FOOD	150.00	
				RJ9946 5/12/21	5/12/2021	FOOD	150.00	
				CW0491 5/12/21	5/12/2021	FUEL	100.00	
				NW3421 5/12/21	5/12/2021	FOOD	100.00	
				HJ3974 5/12/21	5/12/2021	FOOD	75.00	
				HJ3974 5/12/21	5/12/2021	FOOD	75.00	
				NW3421 5/12/21	5/12/2021	FUEL	50.00	1,400.00
	5/12/2021	0029863	DEER PARK SELF STORAGE	IBR7402 5/12/21	5/12/2021	RENT	250.00	250.00
Sub total for U S BANK:							1,797.65	

apChkLst
05/19/2021 11:22:38AM

Final Check List
CLALLAM COUNTY

WSU Ext

Page: 1

Bank : apbank U S BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
	5/25/2021	0020849 U S BANK	MC06355469	5/10/2021	US BANK	73.29	73.29
Sub total for U S BANK:							73.29



BOARD of CLALLAM COUNTY COMMISSIONERS MINUTES for the week of May 17 - 21, 2021

1b
5/25/21

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Monday, May 17, 2021. Present were Commissioners Ozias, Johnson, and Peach and Administrator Sill.

Items of discussion per the agenda published May 13 were:

- Calendar/Correspondence
- Memorandum of Understanding with Jamestown S'Klallam Tribe for Class III gaming holding area
- Notice of hearing to be held Tuesday, June 8, 2021 at 10:30 a.m. for proposed surplus of vehicles
- Agreement with Port Angeles School District for Transition Program Training
- Resolution, purchase and sale agreement and deed for purchase of property located at 16401 Hwy 112, Clallam Bay from Kevin R. and Kelly MK Bonsell
- Agreement amendment 3 with State of Washington County Road Administration Board for Laird Road Reconstruction Project
- New position request for Trail Maintenance Worker & Volunteer Coordinator
- Update and request a call for hearing to be held Tuesday, June 15, 2021 at 10:30 a.m. on an update of the Clallam County Shoreline Mater Program (SMP) and Administrative Procedures Clallam County Code Title 35, Chapter 35.01, Shoreline Management
- Briefing on draft Ordinance Chapter - Recreational Use
- Resolution authorizing submission of requests to the US Department of Treasury for release of awarded funding under the American Rescue Plan Act ("ARPA") and designation of County contact person for ARPA
- Review the "How Did We Do" reports comparing each month's actual performance against the 2021 Annual Budget

Meeting concluded at 11:24 a.m. and continued to the executive session convening at 1 p.m. to discuss collective bargaining and contract negotiations with all represented unions of Clallam County.

EXECUTIVE SESSION

The Board convened in open session at 1 p.m. to discuss collective bargaining and contract negotiations with all represented unions of Clallam County. Present were Commissioners Ozias, Johnson and Peach, Human Resources Director/Administrator Sill, Deputy Human Resources Director/Administrator Reyes, Chief Financial Officer Lane, Sheriff Benedict, Human Resource Analyst Sullenger and Payroll Operations Administrator Hill.

RCW 42.30.140 (4)(a) - Collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement; or (b) that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress.

The Board may recess into Executive Session to consider employment or dismissal of personnel, to review the performance of a public employee, to consult with legal counsel, to consider the position to be taken in collective bargaining, to consider acquisition or sale of real estate, or other matters per RCW 42.30.110.

ACTION TAKEN: CRJm to recess to executive session for 1 hour, CBPs, mc

Board convened in open session at 2:01 p.m. and CMO noted the executive session is extended for 30 minutes.

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of May 17 - 24, 2021
Page 2

Board convened in open session at 2:30 p.m. and CMO noted the executive session is extended for 15 minutes.

Board convened in open session at 2:46 p.m. CMO noted no action will be taken.

Meeting adjourned at 2:47 p.m.

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair Ozias called the meeting to order at 10 a.m., Tuesday, May 18, 2021. Also present were Commissioners Johnson and Peach, and Administrator Sill.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

ACTION TAKEN: CRJm to adopt the agenda as presented, CBPs, mc

PUBLIC COMMENT

- Ed Bowen, Clallam Bay, commented on item 3a.

CONSENT AGENDA

- 1a Approval of vouchers for the week of May 10
- 1b Approval of payroll for the period ending April 30
- 1c Approval of minutes for the week of May 10

ACTION TAKEN: CRJm to adopt the consent agenda as presented, CBPs, mc

REPORTS AND PRESENTATIONS

- CRJ commented on North Olympic Peninsula Visitors Bureau, Black Ball Ferry, homelessness.
- CBP commented on homelessness, Mark Nichols, Lake Sutherland – wake boat.
- CMO commented on homelessness, RV Ordinance, KSQM, Charter Review Recommendations Town Hall.

CONTRACTS AND AGREEMENTS

- 2a Agreement with Washington Secretary of State for combined state and local voter's pamphlet

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2b Agreement amendment 2 with Environmental Science Associates for SMP Periodic Review and SMP amendment

ACTION TAKEN: CRJm to approve, CBPs, mc

ADMINISTRATION

- 3a Resolution authorizing submission of requests to the US Department of Treasury for release of awarded funding under the American Rescue Plan Act ("ARPA") and designation of County contact person for ARPA

ACTION TAKEN: CRJm to adopt, CBPs, mc

- 3b Resolution, purchase and sale agreement and deed for purchase of property located at 16401 Hwy 112, Clallam Bay from Kevin R. and Kelly MK Bonsell

ACTION TAKEN: CRJm to adopt, CBPs, mc

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of May 17 - 24, 2021
Page 3

PUBLIC WORKS

4a Notice of hearing to be held Tuesday, June 15, 2021 at 10:30 a.m. for proposed vacation of County sewer line easement near Sekiu Airport Road

ACTION TAKEN: CRJm to issue, CBPs, mc

Meeting concluded at 10:35 a.m. and continued to 9 a.m., Monday, May 24.

There are no Zoom chat logs for the week of May 17.

The Board of Commissioners attended WSAC virtual COVID Update, Board of Health meeting, Clallam Transit meeting and a COVID-19 Briefing during the week of May 17.

PASSED AND ADOPTED this twenty-fifth day of May 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

Randy Johnson

ATTEST:

Loni Gores, Clerk of the Board

Bill Peach

KEY TO ABBREVIATIONS:

ARS Administrator Rich Sill

CMO Commissioner Mark Ozias

CRJ Commissioner Randy Johnson

CBP Commissioner Bill Peach

m moved
mc motion carried
s seconded



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

29
5/25/21

Department: Sheriff

WORK SESSION ☒ **Meeting Date:** 05/17/21

REGULAR AGENDA ☒ **Meeting Date:** 05/25/21

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|---|---|--------------------------------------|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract # 811-12-06 7 th MOU | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

In 1995 the Jamestown S'Klallam Tribe and Clallam County entered into a Community Contribution Agreement Memorandum of Understanding (MOU) as per the Tribal-State Gaming Compact to formalize responsibilities of the parties for utilization of the funds disbursed as per the Compact. The MOU is being updated for the Seventh time to update the "holding area" requirement set out in the Fifth MOU.

The previously executed Sixth MOU changed the term of the agreement to be on a year-to-year basis, with an automatic renewal, unless otherwise terminated by the parties.

Budgetary impact:

None

Recommended action:

Approval by the Board

County Official signature & print name: W.L. Benedict W.L. Benedict, Sheriff

Name of Employee/Stakeholder attending meeting: Sheriff Benedict

Relevant Departments: Sheriff's Office

Date submitted: 05/11/21

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

**GAMING COMPACT
COMMUNITY CONTRIBUTION AGREEMENT
SEVENTH MEMORANDUM OF UNDERSTANDING**

811-12-06 7th
mon

Whereas, the State of Washington ("State") and the Jamestown S'Klallam Tribe ("Tribe") have entered into a Tribal-State Gaming Compact dated January 15, 1993 ("Compact") for Class III gaming; and

Whereas, the Compact provides in Section III.C.3.(b)(3) that the Tribe and local jurisdictions potentially impacted by the Tribe's gaming operation ("Gaming Center") shall enter into a Memorandum of Understanding ("MOU") delineating the anticipated governmental relationships and responsibilities of the parties, both on and off the Tribe's Reservation, with respect to the utilization of the funds to be provided by the Tribe under that section ("Community Contribution"); and

Whereas, the Compact provides in Section X that the Tribal Gaming Agency ("TGA") and the Clallam County Sheriff's Office ("CCSO") will each have the authority to investigate and make arrests, if necessary, for all Class II and III gambling and related crimes against the laws of the Tribe and applicable laws of the State that occur within the Gaming Center or associated Tribal lands; and

Whereas, in January, 2007, a fifth memorandum of understanding was signed between the Tribe, Clallam County and the CCSO ("**Fifth JST-CC-MOU**") dealing with 1) criminal enforcement authority, 2) a holding area at the casino, 3) payment of a sum certain, instead of a percentage, by the Tribe to the CCSO, and 4) enforcement staff for special events, to remain in effect for two (2) years from the date it was fully executed, or January 20, 2009; and

Whereas, the Tribe and the CCSO desire to update the "holding area" requirement set out in the **Fifth JST-CC-MOU**;

Now, therefore, the parties agree as follows:

The requirement for the Tribe to provide a "holding area in the casino," as referenced in the **Fifth JST-CC-MOU**, is canceled and the requirement henceforth will be met by the Tribe with a holding area at the Jamestown S'Klallam Tribe Justice and Enforcement Center, 110 Sophus Road, Sequim, WA 98382, Phone: (360) 681-5600; and

The above terms and conditions are agreed to for the parties by their undersigned respective representatives:

Dated this 15th day of April, 2021.

For: Clallam County Sheriff's Office

Bill Benedict
Bill Benedict, Sheriff

For: Jamestown S'Klallam Tribe

W. Ron Allen
W. Ron Allen, Chairman/CEO

Approved as to Form by:

Elizabeth Stanley
Clallam County Prosecutor's Office
Clallam County Prosecuting Attorney

For: Clallam County Board of Commissioners

Mark Ozias
Mark Ozias, Chair

2b
5/25/21



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

Department: Health & Human Services

WORK SESSION ☒ **Meeting Date:** May 17, 2021

REGULAR AGENDA ☒ **Meeting Date:** May 25, 2021

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | |
|---|---|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract # 11331-21-PASD |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

The attached Interagency Agreement is between Clallam County Health and Human Services and Sequim School district for provision of Transition Program Training. The Agreement is effective June 1, 2021 to August 31, 2021 for a maximum consideration of \$3,000.

The Prosecuting Attorney's Office reviewed and approved Interagency Agreement between Clallam County and Port Angeles School District on May 9, 2021.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Funds are in the HHS budget.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Please review and approve.

County Official signature & print name:  KEVIN LaPrade

Name of Employee/Stakeholder attending meeting: Kelley Lawrence

Relevant Departments: Health and Human Services

Date submitted: May 12, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy Agenda Item Summary - 11331-21-PASD 6.1.21 thru 8-31-21
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies) Revised: 3-04-2019

INTERAGENCY AGREEMENT**Between****CLALLAM COUNTY****And****PORT ANGELES SCHOOL DISTRICT**

This Agreement is entered into between Clallam County Department of Health and Human Services, hereinafter referred to as "**the County**" and Port Angeles School District hereinafter referred to as "**the District**" in consideration of the mutual benefits, terms, and conditions hereinafter specified.

Section 1. Purpose

Clallam County Department of Health and Human Services, through this Agreement will contract with Port Angeles School District to perform as described in **Attachment A**.

Section 2. Term

This Agreement shall commence on June 1, 2021, and will terminate on August 31, 2021.

Section 3. Scope of Work

The District agrees to participate in the services, identified on **Attachment A**.

- A. The District supports the County's Developmental Disabilities program goals and objectives.
- B. The County shall provide monthly progress reports from Vocational Provider Vendors as detailed in **Attachment A**.

Section 4. Compensation

The County shall be paid by the District for completed work under this Agreement as follows:

- A. Payment for Transition Services as outlined in **Attachment B** shall not exceed \$3,000.00 without an express written amendment signed by both parties to this agreement. In the event that expected or actual funding from any funding source is withdrawn, reduced, or limited in any way after the effective date of this agreement, this contract may be renegotiated or terminated as provided herein.
- B. County shall bill and the District will pay for Transition Services for a maximum consideration of \$3,000.00.

- C. The Vocational Provider Vendors may submit invoices to the County for Transition services completed by August 31, 2021. The County will review such invoices, and upon reasonable approval thereof, payment will be made to the vendor in the amount approved. Payment will not be unreasonably withheld and the Vendor will be given a reasonable opportunity to correct any work reasonably determined by the County to be defective. Invoices for services will be submitted on a monthly basis, due by the 10th of the month following delivery of services. No invoices received more than 60 days following the end of the month of service will be paid.
- D. The County will make final payment of any balance due the Vendor promptly upon its ascertainment and verification after the completion of the services under this Agreement and its reasonable acceptance by the County. Payment will not be unreasonably withheld and the vendor will be given a reasonable opportunity to correct any work reasonably determined by the County to be defective.
- E. The County, District and Vendor records and accounts pertaining to this agreement are to be kept available for inspection by representatives of the County and state for a period of six (6) years after final payments. Copies shall be made available upon request.
- F. Each invoice submitted by the Vendor to the County for Vendor provided services in fulfillment of this contract shall reflect the number of hours utilized in fulfilling the obligations of the Vendor under this contract and shall also include detailed expenses related to fulfillment of this contract as described in Attachment A, Section County, Item 7f.

Section 5. Compliance with Laws

The District, County and Vendor shall, in participating in the services contemplated by this agreement, faithfully observe and comply with all federal, state, and local laws, ordinances and regulations, applicable to the services to be rendered under this Agreement.

Section 6. Indemnification

Each party agrees to defend and indemnify the other party and its elected and appointed officials, officers, and employees against all claims, losses, damages, suits and expenses, including reasonable attorneys' fees and costs, to the extent they arise out of, or result from, the negligence or willful misconduct of the indemnitor or its elected or appointed officials, officers, and employees in the performance of this Agreement. The indemnitor's duty to defend and indemnify

extends to claims by the elected or appointed officials, officers, employees or agents of the indemnitor or of any contractor or subcontractor of indemnitor. The indemnitor waives its immunity under Title 51 (Industrial Insurance) of the Revised Code of Washington solely for the purposes of this provision and acknowledges that this waiver was mutually negotiated. This provision shall survive the expiration or termination of this Agreement.

Section 7. Insurance

The District shall obtain and keep in force during the terms of the Agreement, or as otherwise required

- A. Commercial Automobile Liability Insurance providing bodily injury and property damage liability coverage for all owned and non owned vehicles assigned to or used in the performance of the work for a combined single limit of not less than \$1,000,000 each occurrence.
- B. District shall provide proof of insurance to the County, in care of, Kelley Lawrence, Developmental Disabilities, 111 E. 3rd Street, Port Angeles, WA 98362, prior to commencing services.
- C. The District shall participate in the Worker's Compensation and Employer's Liability Insurance Program as may be required by the State of Washington.
- D. Each party certifies that it is self-insured, is a member of a risk pool, or maintains insurance of not less than \$1,000,000.00 of combined single limit coverage. The County shall pay for losses for which it is found liable. The District shall pay for losses for which it is found liable.

Section 8. Independence

The District and the County agree that all parties are independent with respect to the services provided pursuant to this agreement. Nothing in this agreement shall be considered to create the relationship of employer and employee between the parties hereto. Neither party shall be entitled to any benefits accorded employees by virtue of the services provided under this agreement. Neither party shall be responsible for withholding or otherwise deducting federal income tax or social security or for contributing to the state industrial insurance program, otherwise assuming the duties of an employer with respect to employee of the other party's employees.

Section 10. Reporting

The Vocational Provider Vendor will provide a report to the County for payment for services provided. This report will be submitted with the appropriate invoice.

Section 11. Termination

A. Termination for Convenience

Either party may terminate this Agreement for convenience, including because of a change in available funding, by providing at least 30 days' advance written notice to the other party.

B. Termination for Default

In the event of a default by either party under this Agreement, the nondefaulting party may give written notice to the defaulting party that it intends to terminate this Agreement if the default is not cured within 30 days of the date of the notice or such longer period of time as may be reasonable under the circumstances. If the default is not cured within that time, the nondefaulting party may then notify the defaulting party in writing that this Agreement is terminated. In the event of such termination, the nondefaulting party shall have all rights and remedies available to it under general law.

C. General Termination Provision

Whenever this Agreement is terminated in accordance with this Section 11, the District shall be entitled to payment for training completed. An equitable adjustment in the contract price for partially completed items of training will be made, but such adjustment shall not include provision for loss of deleted or uncompleted training.

Section 12. Modification

This Agreement may be modified at any time by written agreement of all parties.

Section 13. Integrated Agreement

This Agreement together with Attachments or addenda represents the entire and integrated agreement between the County and the District and supersedes all prior negotiations, representations, or agreements written or oral, between the parties. This Agreement may be amended only by written instrument signed by both County and District.

Section 14. Notice

Whenever a notice is required or permitted to be given under this Agreement, it shall be provided as follows:

If to the County:

Clallam County Department of Health and Human Services
111 East 3rd Street
Port Angeles, WA 98362
Attention: Kelley Lawrence

If to the District:

Port Angeles School District
216 East 4th Street
Port Angeles, WA 98362
Attention: Pamela Sanford, Director of Special Services

Either party may change its address for notice by providing written notice to the other party.

Approved this _____ day of _____, 2021

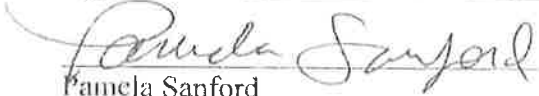
BOARD OF COUNTY COMMISSIONERS
CLALLAM COUNTY, WASHINGTON

Mark Ozias, Chair

ATTEST:

Clerk of the Board

Approved this 13th day of May, 2021


Pamela Sanford
Director of Special Services
Port Angeles School District

ATTACHMENT "A" (SCOPE OF WORK)

The County will provide Transition planning services that focus on providing vocational training and/or supported employment opportunities to eligible District students between the ages of eighteen and twenty-one, with a specific focus on the last two years of school.

Transition Services:

District:

The District will be responsible for the overall coordination of activities for eligible Port Angeles School District students including Individualized Education Programs (IEP's) and Transition Services. The District will be responsible to provide:

1. A list that identifies all students who should receive transition planning services.
 - a. Student has accessed the District's on and off campus and community vocational opportunities.
 - b. Student's DDD eligibility is confirmed.
 - c. Student is between the ages of 18-21, with a priority of those students in their final two years of high school.
 - d. Student and family have completed a Person Centered Plan (PCP) and/or has a clearly articulated Post School Outcome goal as noted on IEP.
 - e. Student has applied for services with the Division of Vocational Rehabilitation (DVR).
 - f. Through the IEP* process, the student and parent are presented the Transition Services option and Written Responsibilities/Commitment to the Program. **IEP potential team members may include the student, parent, CCDD Representative, DDD Case Manager, School IEP Case Manager, DVR Counselor, Vocational Teacher(s), Transition Specialist and/or LSS Administrator.*
 - g. A Transition Service Level Request for each student for the school year from September 1 until June 30th each year. A separate request will be initiated prior to June 30th each year for all students approved for extended school year services by their IEP Team.
2. Team Meeting and notification to the student's chosen vocational provider.
 - a. IEP Case Manager will assume continued responsibility for setting up meetings. **IEP team members may include those outlined above in section 1, item f, in addition to the identified vocational provider.*
 - b. IEP Case Manager will have available all vocational materials and data (PCP, FVE, student portfolio, current IEP, current reevaluation).
 - c. Ensure that a County-supported Vendor has been selected and student/family has selected the Vocational Provider they would like to work with.
 - d. Contractual services formally begin.

- e. IEP Case Manager will document and notify County of extended school year approvals prior to June 30th of each contract year to assure funding for services during July and August of that school year.
3. Collaborative staff that will identify each student's Transition planning services needs in writing.
 - a. Including identified activities, steps for implementation, student/staff involved and projected timelines.
 - b. Discuss and determine roles of participants.

County:

The County will be responsible for the coordination of selected Vocational Services from Vendors as indicated by the Port Angeles School District for eligible students. The County will be responsible to provide:

1. A point of contact for the District.
2. Training to the District staff on Clallam County Developmental Disabilities adult services.
3. Resource materials.
4. Vendor Selection services to student and family to assist in their informed choice of a Vocational Provider. These services include:
 - Orientation to Vendor Selection services and the available array of services and providers in Clallam County who are willing to work with the Port Angeles School District.
 - Planning assistance for interview process.
 - Logistical supports for interviews.
 - De-briefing supports.
 - Written notice is provided to student/family, Port Angeles School District, Clallam County Health & Human Services and Vocational Provider regarding the selection of the Vocational Provider.
5. Benefit Analysis services when requested.
6. Match Port Angeles School District funding with Clallam County Millage Funds
7. Qualified Vocational Providers who will:
 - a. Collaborate with District staff and keep them informed of activities, progress and timelines as outlined in the IEP;
 - b. Effectively communicate with the student's family and their case manager, informing them of activities, progress and timelines as outlined in the IEP;

- c. Develop individualized vocational services plan when needed;
- d. Develop individualized budget to implement the vocational services plan and submit to District Administrator and County staff;
- e. Work closely with District staff for purposes of transportation needs. Qualified Vocational Providers may only transport students in the private vehicles of staff according to their contract agreement with the County; and
- f. Provide monthly written progress reports according to County format to Clallam County Health & Human Services which include:
 - 1. Direct service hours to the student.
 - 2. Hours of service on behalf of the student including but not limited to scheduling transportation, name and date employer(s) contacted (initial and follow-up) and job development.
 - 3. Student's wages earned.
 - 4. Hours worked.
 - 5. Progress on work skills and behaviors as identified and outlined on IEP.

ATTACHMENT "B"
(COMPENSATION)

1. Supplemental Billing Procedures

- a. The County shall bill the District monthly for each authorized student. Transition planning services reimbursement rates are as follows:

Vendor Selection Services

1. Clallam County will provide these services at no cost to the Port Angeles School District.

Employment Services

1. Standard rates:
- Maximum of 20 hours per month of support provided to individual student.
 - \$30.00 per hour of support provided to individual student; maximum of \$600.00/month per student.
2. Individualized rates will be pre-authorized by the District in writing.

Benefit Analysis Services

1. Standard Rate: \$35.00 per hour per student

Maximum of 2 hours. Additional hours pre-authorized by the District in writing.

- b. The County will provide student monthly written progress reports according to County specified format with each invoice.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

2C
5/25/21

Department: Public Works/Road

WORK SESSION ☒ **Meeting Date:** 05/17/2021

REGULAR AGENDA ☒ **Meeting Date:** 05/25/2021

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|---|--|--------------------------------------|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract #101-19-013C | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other |
- Documents exempt from public disclosure attached: ☐

Executive summary:

This is a third amendment to our RAP Project Agreement which increases our funding to \$495,000.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

This adds an additional \$171,900 of RATA funding to this project.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

That the Board reviews, approves and authorizes the Chair to sign this agreement.

County Official signature & print name: Mary Peterson for, Ross Tyler

Name of Employee/Stakeholder attending meeting: Ross Tyler & Joe Donisi

Relevant Departments: Public Works/Road Dept.

Date submitted: 05/12/2021

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

101-19-D13C

STATE OF WASHINGTON - COUNTY ROAD ADMINISTRATION BOARD
RURAL ARTERIAL PROGRAM
PROJECT AGREEMENT FOR CONSTRUCTION PROPOSAL

AMENDMENT NO. 3

Submitting County: Clallam

Project Number: 0519-02

Date Approved: 04/25/2019

Road Number(s)	Road Name(s)	BMP(s)	EMP(s)	Segment #
93110	Laird Road	0.000	0.800	1

This is Amendment No. 3 to the above described Project Agreement, between the County of Clallam, hereinafter the "County" and the State of Washington County Road Administration Board, hereinafter the "CRABoard."

WHEREAS, the COUNTY and CRABoard desire to amend the original Project Agreement to allow an increase to authorized RATA funds under the conditions described in WAC 136-161-070,

NOW, THEREFORE, pursuant to chapter 36.79 RCW and in consideration of the terms, conditions, covenants, and performance contained herein, or attached and incorporated and made a part hereof,

IT IS MUTUALLY AGREED AS FOLLOWS:

1. The following new language is added as section 17 to the Project Agreement:

Authorized RATA funding is increased to \$495,000 per CRABoard approval dated April 29, 2021.

2. All other terms and conditions of the original Project Agreement shall remain in full force and effect except as modified by this Amendment No. 3.

IN WITNESS WHEREOF, the PARTIES hereto have executed this AMENDMENT No. 3 as of the PARTY's date last signed below.

COUNTY ROAD ADMINISTRATION BOARD:

Clallam COUNTY:

By: _____

By: _____

Date: _____

Date: _____



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

2d
5/25/21

Department: Health and Human Services-Environmental Health

WORK SESSION ☒ **Meeting Date: 5/24/2021**

REGULAR AGENDA ☒ **Meeting Date: 5/25/2021**

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|---|--|--------------------------------------|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract # 100511-19-DOE-SW, Amendment #1 | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

Washington State Department of Ecology (Ecology) offered Clallam County Health and Human Services an additional \$17,754.67 (total project cost)/\$13,316 (75% Ecology share) in the Local Solid Waste and Financial Assistance (LSWFA) grant for solid waste activities. The grant ends June 30, 2021. The monies will be used for staff time in solid waste enforcement activities.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☒

Yes, a budget change form has been completed.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Please sign Amendment #1 with Ecology for additional funds.

County Official signature & print name:  Kevin LoPiccolo

Name of Employee/Stakeholder attending meeting: Jennifer Garcelon

Relevant Departments: HHS-EH

Date submitted: May 19, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

Agenda Item Summary May 2021 Amendment #1 - Ecology

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Revised: 3-04-2019



**AMENDMENT NO. 1
TO AGREEMENT NO. SWMLSWFA-2019-CICHHS-00078
BETWEEN
THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY
AND
Clallam County Health and Human Services**

PURPOSE: To amend the above-referenced agreement (AGREEMENT) between the state of Washington Department of Ecology (ECOLOGY) and Clallam County Health and Human Services (RECIPIENT) for the SWE Clallam HHS (PROJECT).

This AMENDMENT will increase the AGREEMENT total eligible budget by \$17,754.67 from \$88,504.67 to \$106,259.34 (state share increase by \$13,316 from \$66,378.50 to \$79,694.50).

The scope of work and expected outcomes for Task 1 remain the same because the RECIPIENT originally underestimated the cost.

IT IS MUTUALLY AGREED that the AGREEMENT is amended as follows:

Project Title:

Original: 2019-2021 LSWFA Clallam Co HHS SWE Amended: SWE Clallam HHS

Total Cost:

Original: 120,000.00 Amended: 137,754.67

Total Eligible Cost:

Original: 88,504.67 Amended: 106,259.34

Project Short Description:

Original:

Clallam County Health and Human Services will spend \$88,504.67 to monitor solid waste handling facilities for compliance with rules and regulations, resolve 75 solid waste complaints, and work to prevent solid waste violations from occurring at facilities and in the community through education and outreach.

Amended:

Clallam County Health and Human Services will spend \$106,259.34 to monitor solid waste handling facilities for compliance with rules and regulations, resolve 75 solid waste complaints, and work to prevent solid waste violations from occurring at facilities and in the community through education and outreach.

CHANGES TO THE BUDGET

Funding Distribution EG200006

Funding Title: SWE Clallam HHS

Funding Type: Grant

Funding Effective Date: 07/01/2019

Funding Expiration Date: 06/30/2021

Funding Source:

Title: Model Toxics Control Operating Account (MTCOA)

Type: State

Funding Source %: 100%

Description: Local Solid Waste Financial Assistance

Approved Indirect Costs Rate: Approved State Indirect: 25%

Recipient Match %: 25%

InKind Interlocal Allowed: No

InKind Other Allowed: No

Is this Funding Distribution used to match a federal grant? No

SWE Clallam HHS	Task Total
Solid Waste Enforcement	\$ 106,259.34

Total: \$ 106,259.34

CHANGES TO SCOPE OF WORK

Task Number: 1

Task Cost: \$106,259.34

Task Title: Solid Waste Enforcement

Task Description:

Activity 1: Solid Waste Facilities/Sites (Permitted/Exempt)

RECIPIENT will monitor solid waste handling facility compliance with applicable state solid waste regulations including but not limited to Chapter 173-350 WAC (Solid Waste Handling Standards), Chapter 173-351 WAC (Criteria for Municipal Solid Waste Landfills), Chapter 173-304 WAC (Minimal Functional Standards for Solid Waste Handling), and Clallam County Code Solid Waste Regulations Chapter 41.10.

RECIPIENT will accomplish monitoring of solid waste handling facilities and sites as prescribed by applicable solid waste regulation(s), including but not limited to permitting inspections and oversight, review of groundwater data, and annual review of financial assurance. RECIPIENT will also review and reissue all expiring permits as applicable and expects to approve and permit a new facility.

Facility/Site Information:

Active solid waste permits: Port Angeles Transfer Station, Blue Mountain Transfer Station, West Waste and Recycling, McKinley Landfill, Washington State Department of Transportation Pile, Port Angeles Decant Facility Pile, Port Angeles Moderate Risk Waste Facility, Port Angeles Compost Facility.

Solid waste permits - post closure: Port Angeles Landfill (304 and 351), Rayonier 13th and M Street Landfill, Merrill and Ring 13th and M Street Landfill, Rayonier Mount Pleasant Landfill, Lake Creek Landfill.

Exempt sites: Cascade Bark, Blake Sand and Gravel, Lakeside Industrial Port Angeles.

New solid waste permit applications and notices of exemption considered during the grant period for facilities not listed in this Task may be managed under this Agreement.

Activity 2: Solid Waste Investigation, Assistance and Enforcement

RECIPIENT will investigate solid waste related complaints or concerns, including, at RECIPIENT's discretion, assisting in the proper handling of abandoned or illegally stored junk or nuisance vehicles. RECIPIENT will offer technical assistance about solid waste regulations and how to prevent violations, and will enforce as necessary. RECIPIENT will provide public education about proper handling and disposal methods, and how to prevent violations.

Costs for RECIPIENT staff to attend trainings and workshops in order to stay current with emerging solid waste issues are eligible for reimbursement under this agreement with pre-approval from ECOLOGY. RECIPIENT is encouraged to seek ECOLOGY pre-approval for any other costs not directly identified in this scope of work.

Invoices and time accounting submitted with RECIPIENT's request for reimbursement must support eligibility of expenses.

Task Goal Statement:

The goal of this task is to protect human health and the environment by preventing and correcting violations of solid waste rules and regulations. RECIPIENT expects to accomplish this goal by providing technical assistance and education, compliance monitoring, and enforcement when necessary.

Task Expected Outcome:

RECIPIENT expects to achieve the following outcomes:

- Resolve 75 complaints of illegal dumping or improper disposal.
- Issue 12 solid waste permits.
- Inspect 40 permitted and conditionally exempt solid waste facilities or sites.

RECIPIENT will complete at least one inspection per calendar year at each permitted solid waste facility or site. RECIPIENT will track facilities/sites monitored and include the information in quarterly progress reports, including uploading a copy of inspection reports conducted in the quarter.

Recipient Task Coordinator: Heather Watts

Deliverables

Number	Description	Due Date
1.1	Work as described in the Scope of Work for this agreement is implemented.	06/30/2021

Funding Distribution Summary

Recipient / Ecology Share

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
SWE Clallam HHS	25 %	\$ 26,564.84	\$ 79,694.50	\$ 106,259.34
Total		\$ 26,564.84	\$ 79,694.50	\$ 106,259.34

AUTHORIZING SIGNATURES

All other terms and conditions of the original Agreement including any Amendments remain in full force and effect, except as expressly provided by this Amendment.

The signatories to this Amendment represent that they have the authority to execute this Amendment and bind their respective organizations to this Amendment.

This amendment will be effective 01/01/2021.

IN WITNESS WHEREOF: the parties hereto, having read this Amendment in its entirety, including all attachments, do agree in each and every particular and have thus set their hands hereunto.

Washington State
Department of Ecology

Clallam County Health and Human Services

By: _____

Laurie Davies
Solid Waste Management
Program Manager

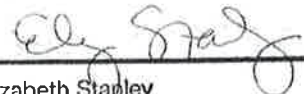
Date

By: _____

Mark Ozias
Commissioner

Date

Approved as to form only by:

 4/5/2021
Elizabeth Stanley
Civil Deputy Prosecuting Attorney
Clallam County

Template Approved to Form by
Attorney General's Office

CLALLAM COUNTY BUDGET CHANGE FORM

COPY



Date Submitted: 4/21/21

Budget Hearing/Meeting Date: 5/25/21

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	00100.511	Budget Name	HHS – Environmental Health
--------------------------	-----------	-------------	----------------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.513	HHS – Env Health	33403.14.0059	CPG Solid Waste Enforcement	17,754
Total				17,754

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.293	General Fund Reserves	50800.00.0000	Ending Fund Balance	17,754
Total				17,754

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Funding is being received from the Department of Ecology for the Solid Hazardous Waste program activities.

County Official Approval: _____

(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

3a
5/25/21

Department: Parks, Fair & Facilities

WORK SESSION ☐ Meeting Date:

REGULAR AGENDA ☒ Meeting Date: 05.25.2021

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | | |
|---|--|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Bid Opening |

Documents exempt from public disclosure attached: ☐

Executive summary:

Jail Control Room Upgrade and Improvement Project.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

NA

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

I recommend the Board submit the Bids to Parks, Fair & Facilities for review and recommendation.

County Official signature & print name: Joel G. Winborn

Name of Employee/Stakeholder attending meeting: Joel G. Winborn

Relevant Departments: Sheriff's Department/Parks, Fair & Facilities

Date submitted: 03.31.2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

CLALLAM COUNTY PARKS, FAIR & FACILITIES DEPARTMENT
NOTICE OF CALL FOR BIDS

SEALED BIDS will be received by the Board of Clallam County Commissioners 223 East Fourth Street, Room 150, Port Angeles, Washington until **10:00 a.m. on Tuesday, May 25, 2021** for:

CLALLAM COUNTY
-Jail Control Room Upgrade and Improvement Project-

Complete drawings and specifications may be obtained from Pen Print, Inc., Phone 360.457.3404. All bidding and related questions shall be directed to Frank Hopkins, HK Electrical Engineers, Phone: 503-625-4443 or Email: frank@hkeng.com.

The sealed bids must be clearly marked on the outside of the envelope, "**BID PROPOSAL – CLALLAM COUNTY – Jail Control Room Upgrade and Improvement Project**". Address bid proposal to: Board of Clallam County Commissioners, 223 East 4th Street, Suite 4, Port Angeles, Washington 98362 or hand-deliver to 223 East 4th Street, Room 150, Port Angeles, Washington. Bid documents received late by the Commissioners' Office, delivered to other offices, received by fax or email or by any other means will not be considered. **Late bids will be returned unopened.**

Note: All Bids shall include a 5% Bid Bond on a form approved by Clallam County.

Clallam County hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined in Title VI of the Civil Rights Act of 1964 at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

Clallam County will determine the lowest responsible bidder in accordance with the terms of Clallam County Code Section 3.12.070 and reserves the right to reject any or all bids and to waive minor informalities in the process or to accept the bid, which in its estimation best serves the interests of Clallam County.

Bidders on Washington State Dept. of Labor & Industries or federal debarment list are prohibited from bidding on this project.

Construction Timeframe: 120 Calendar Days from Agreement Approval

A pre-bid walk-through will be conducted on Tuesday May 18, 2021 @ 2:00 PM. All interested bidders are to meet at the project site, located at 223 East 4th Street, Port Angeles, WA. This will be the only opportunity for bidders to review the as-built conditions. Owner and/or the Owners representative will be on site throughout the afternoon to answer questions and provide access for bidders. A bidder's absence will be considered as part of the Bidder responsibility criteria as set forth in the Specifications and Contract Documents.

APPROVED this 13 day of April 2021.

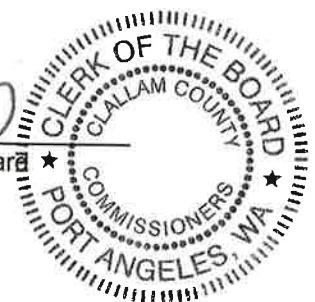
**BOARD OF CLALLAM COUNTY
COMMISSIONERS:**

Mark Ozias, Chair

Publish: **April 18 & April 25, 2021(PDN)**
Bill: Parks, Fair and Facilities
END OF SECTION 00100

ATTEST:

Loni Gores
Loni Gores, Clerk of the Board





AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

3b
5/25/21

Department: Public Works/Road

WORK SESSION ☐ **Meeting Date:**

REGULAR AGENDA ☒ **Meeting Date:** 05/25/2021

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|---|--|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | ☐ Budget Item |
| ☐ Resolution | ☐ Proclamation | ☒ Other Bid Opening |
| ☐ Draft Ordinance | ☐ Final Ordinance | |

Documents exempt from public disclosure attached: ☐

Executive summary:

This item is the public bid opening for the annual supply contract for the 2021 Hot Mix Asphalt and CSS-1 Liquid Asphalt products for the year 2021.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

The 2021 Road Fund budget includes the necessary monies required for the purchase of these materials.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

We recommend that the Commissioners publicly open the bids received, then refer them to Public Works for review, tabulation and recommendation of award.

County Official signature & print name: Mary Peterson for x, Ross Tyler

Name of Employee/Stakeholder attending meeting: Ross Tyler & Joe Donisi

Relevant Departments: Public Works/Road Dept.

Date submitted: 05/19/2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

49
5/25/21

Department: Sheriff

WORK SESSION ☒ **Meeting Date:** 5/17/21

REGULAR AGENDA ☒ **Meeting Date:** 5/25/21

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|--|--|--------------------------------------|
| ☒ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

Request that the Board call for a public hearing on the proposed surplus of seven vehicles currently in the possession of the Sheriff's Office that are now surplus to the department's needs. The department requests that the items be disposed of at public auction or used as trade.

Budgetary impact:

The revenue from the seven forfeited vehicles will be paid to OPNET with a portion to the State as per RCW.

Recommended action:

Approval by the Board to call for the hearing.

County Official signature & print name: W.L. Benedict W.L. Benedict, Sheriff

Name of Employee/Stakeholder attending meeting: Brian King, Chief Criminal Deputy

Relevant Departments: Sheriff

Date submitted: 5/12/21

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



RESOLUTION _____, 2021

CALL FOR HEARING ON THE PROPOSED SURPLUS OF VEHICLES

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. The Sheriff's Office reports that the following vehicles are surplus to their needs.
 - a. 2000 Lincoln Continental, VIN – 1LNHM87A8YY753384
 - b. 2000 BMW 328 coupe, VIN – WBABM5342YJP01263
 - c. 2002 Dodge Durango, VIN – 1B8HS58NX2F187429
 - d. 2003 Lincoln Navigator, VIN – 5LMFU28R93LJ30254
 - e. 2003 Honda Pilot, VIN – 2HKYF18563H511873
 - f. 2003 Toyota Sienna, VIN – 4T3ZF13C23U511761
 - g. 2008 Dodge Ram 2500, VIN – 3D7KS28A78G195782
2. The Sheriff's Office desires to dispose of the vehicles by sale at public auction or trade.
3. The Board of Clallam County Commissioners has the responsibility to determine if it is in the best interest of the county and the people to surplus the items listed above as excess to their needs.
4. RCW 36.34.040 requires that the Board hold a public hearing to determine whether it is proper and advisable to dispose of the surplus property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Clallam County Commissioners, in consideration of the above findings of fact:

1. That a public hearing on the proposed disposal by sale at public auction or trade to be held in the Commissioners' meeting room, 223 East 4th Street, Room 160, Port Angeles, Washington at 10:30 a.m. on June 8, 2021.

PASSED AND ADOPTED this _____ day of _____ 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

ATTEST:

Randy Johnson

Loni Gores, CMC, Clerk of the Board

Bill Peach

Publish: May 28 and June 6, 2021

Bill: Sheriff

5-19-21

46
5/25/21



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

Department: BOCC

WORK SESSION ☐ Meeting Date:

REGULAR AGENDA ☒ Meeting Date: 5-25-21

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | |
|--|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☒ Resolution - Emergency | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

On Monday, May 24, 2021, at about 11:30 a.m. a package was discovered in the main lobby of the Clallam County Courthouse. Law Enforcement and the County Administration evaluated the location of the package and determined that it was best to evacuate the courthouse, close to the public for the remainder of the day, and staff located at the courthouse were sent home. Requesting approval of a Declaration of Emergency Resolution.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Requesting approval of a Declaration of Emergency Resolution.

County Official signature & print name:  Rich Sill, Administrator

Name of Employee/Stakeholder attending meeting: Board of Commissioners

Relevant Departments: Board of Commissioners, Payroll, Finance Department, Human Resources

Date submitted: May 25, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Evacuation of Courthouse Emergency 5-24-21

Revised: 3-04-2019



RESOLUTION _____, 2021

DECLARATION OF EMERGENCY
FOR EVACUATION OF THE CLALLAM COUNTY COURTHOUSE
DUE TO A SUSPICIOUS PACKAGE

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. The Clallam County Sheriff's Department and County Administration, has reported to the Board of County Commissioners that an emergency evacuation of the courthouse occurred on Monday, May 24, 2021 due to a suspicious package left in the main lobby of the courthouse.
2. An evacuation of the courthouse was initiated by the Clallam County Sheriff's Department per County policy. The decision to close the courthouse for the remainder of the day was made by the Clallam County Administrator after consultation with available Board members.
3. Staff employed at the courthouse were sent home for the remainder of the work day.

NOW, THEREFORE, BE IT RESOLVED by the Board of Clallam County Commissioners, in consideration of the above findings of fact:

1. A state of emergency is declared due to the finding of a suspicious package within the Clallam County Courthouse on Monday, May 24, 2021 at approximately 11:30 a.m.
2. The courthouse was evacuated and all staff and members of the public were asked to vacate the building.
3. County employees located at the courthouse were directed by the County Administrator to go home for the remainder of the day.
4. Per County policy when the determination is made to close County facilities due to unusual circumstances, employees on duty who leave work due to the closure will be paid for the remainder of their scheduled shift and paid leave need not be charged.

PASSED AND ADOPTED this twenty-fifth day of May 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

Randy Johnson

Bill Peach

ATTEST:

Loni Gores, CMC, Clerk of the Board



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

5a
5/25/21

Department: BOCC

WORK SESSION ☐ Meeting Date:

REGULAR AGENDA ☒ Meeting Date: 05/25/21

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | |
|--|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☒ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

Board of Clallam County Commissioner will consider adopting by Resolution the attached budget reductions on May 25, 2021.

Budget reductions – a reduction in revenues and/or expenditures.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
Department of Community Development -Administration – (\$55,595)

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Approve the attached resolution – Budget reduction.

County Official signature & print name: Morgann Halencak, Deputy Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners

Relevant Departments: All Departments

Date submitted: May 4, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



BUDGET RESOLUTION _____, 2021

ADOPTING THE BUDGET REDUCTION IN THE FUND LISTED BELOW

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. Pursuant to RCW 36.40.100, in open, public meeting, after proper notice, the following facts create the need for the budget reduction shown below:

Department of Community Development – Administration – Budget reduction due to removal of Administrative Specialist II position from DCD Administration (1 of 2)/(\$55,595)

2. The Budget Director has verified the accounting method for these budget reduction and approved it by numbering and initialing the attached Budget Change Forms.

NOW, THEREFORE, THE BOARD OF CLALLAM COUNTY COMMISSIONERS hereby adopts a reduction within the funds, departments, or programs budgets as set forth in the attached Budget Change Forms.

PASSED AND ADOPTED this twenty-fifth day of May 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

Randy Johnson

ATTEST:

Loni Gores, CMC, Clerk of the Board

Bill Peach

c: Budget Director
Treasurer
Affected Department(s)

APR 21 2021

CLALLAM COUNTY BUDGET CHANGE FORM



Date Submitted: 4-21-2021 ✓ Budget Hearing/Meeting Date: 5-25-2021 ✓

- **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- X ✓ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	00100.331 ✓	Budget Name	DCD Administration ✓
--------------------------	-------------	-------------	----------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.331 ✓	DCD Admin ✓	55864.10.0010 ✓	Regular Time	37,813
00100.331 ✓	DCD Admin ✓	55864.20.0020 ✓	Benefits	17,782
Total				55,595 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.293 ✓	General Fund Reserves ✓	50800.00.0000 ✓	Ending Fund Balance	55,595
Total				55,595 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

DCD is removing the Admin. Specialist II position from DCD Admin 00100.331 and adding a Planner I to DCD Permit Center 00100.333. (1 of 2)

County Official Approval: *V. H. Clark*
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)*[Handwritten signature]*
[Handwritten signature]
47



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

5b
5/25/21

Department: BOCC

WORK SESSION ☐ Meeting Date:

REGULAR AGENDA ☒ Meeting Date: 05/25/21

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- ☐ Call for Hearing ☐ Contract/Agreement/MOU - Contract #
- ☒ Resolution ☐ Proclamation ☐ Budget Item
- ☐ Draft Ordinance ☐ Final Ordinance ☐ Other - Notice

Documents exempt from public disclosure attached: ☐

Executive summary:

Board of Clallam County Commissioner will consider adopting by Resolution the attached supplemental appropriations on May 25, 2021

Supplemental appropriations – increased expenditures due to unanticipated federal, state, and local funds.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Health and Human Services – Operations - \$65,666
Health and Human Services – Operations - \$25,457
Health and Human Services – Operations - 1,366,617
Health and Human Services – Environmental Health - \$17,754
Health and Human Services – Environmental Health - \$60,000
Health and Human Services – Environmental Health - \$6,600
Health and Human Services – Administration - \$88,589
Health and Human Services – Administration - \$60,000
Sheriff – Operation Stonegarden – \$169,763
Department of Community Development – Dungeness Reservoir – \$70,000

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Approve the attached Resolution - supplemental appropriations.

County Official signature & print name: Morgann Halencak, Deputy Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners

Relevant Departments: All Departments

Date submitted: May 4, 2021

- * Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Budget Supplementals 05-25-21
Revised: 3-04-2019



BUDGET RESOLUTION _____, 2021

ADOPTING A SUPPLEMENTAL BUDGET FOR DEPARTMENTS/FUNDS LISTED BELOW

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. Pursuant to RCW 36.40.100, in open, public meeting, after proper notice, the following facts create a need for the Supplemental Budget Appropriations listed below:

Health and Human Services – Operations

- Additional funds from Department of Health for COVID-19 activities/\$65,666
- Additional funds from Department of Health for public health activities and increasing immunization rates/\$25,457
- Additional funds from Department of Health Consolidated Contract #20 for COVID-19 services/\$1,366,617

Health and Human Services – Environmental Health

- Additional funds from Department of Ecology for Solid Hazardous Waste program activities/\$17,754
- Additional funds from Department of Health Consolidated Contract #20 for COVID-19 services/\$60,000
- Additional funds from Department of Health Consolidated Contract #20 for water system technical assistance and sanitary surveys/\$6,600

Health and Human Services – Administration

- Additional funds from the Department of Health for COVID-19 activities/\$88,589
- Additional funds from Department of Health Consolidated Contract #20 for COVID-19 services/\$60,000

Sheriff – Operation Stonegarden – Additional funds from 2020 Operation Stonegarden Program grant to be expended in FY2021/\$169,763

Department of Community Development – Dungeness Reservoir – Clallam Conservation funding for consulting on the Dungeness Reservoir Project/\$70,000

2. The Budget Director has verified the accounting method for the supplemental appropriations and approved it by numbering and initialing the attached *Budget Change Forms*.

NOW, THEREFORE, THE BOARD OF CLALLAM COUNTY COMMISSIONERS hereby adopts the Supplemental Budget Appropriations for unanticipated state or federal funds shown above, and authorizes and directs the Treasurer to make the necessary transfer of funds in order to affect the Board's intent.

PASSED AND ADOPTED this twenty-fifth day of May 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

Randy Johnson

ATTEST:

Loni Gores, Clerk of the Board

Bill Peach

c: Budget Director
Treasurer
Affected Department(s)

APR 22 2021



CLALLAM COUNTY BUDGET CHANGE FORM

Date Submitted: 4/22/21 ✓ Budget Hearing/Meeting Date: 5/25/21 ✓

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	11301.511 ✓	Budget Name	HHS Operations ✓
--------------------------	-------------	-------------	------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11301.511 ✓	HHS Operations ✓	33321.01.9010 ✓	DOH COVID-19 LHJ Local CARES	65,666
Total				65,666 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11301.511 ✓	HHS Operations ✓	50800.00.0000 ✓	Ending Fund Balance	65,666
Total				65,666 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Supplemental revenue received from the Department of Health for Covid-19 activities.

County Official Approval: _____
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

[Signature]

APR 22 2021

CLALLAM COUNTY BUDGET CHANGE FORM



Date Submitted: 4/22/21

Budget Hearing/Meeting Date: 5/25/21

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	11301.511 ✓	Budget Name	HHS Operations ✓
--------------------------	-------------	-------------	------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11301.511 ✓	HHS Operations ✓	33604.25.0000 ✓	DOH FPHS Services	22,657
11301.511 ✓	HHS Operations ✓	33393.26.8000 DOH	Increase Immunization Rates	2,800
Total				25,457 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11301.511 ✓	HHS Operations ✓	56210.31.0010 ✓	Office Supplies	2,000
11301.511 ✓	HHS Operations ✓	56210.31.0020 ✓	Operating Supplies	2,000
11301.511 ✓	HHS Operations ✓	50800.00.0000	Ending Fund Balance	21,457
Total				25,457 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Supplemental revenue received from the Department of Health for fundamental public health activities and for increasing immunization rates.

County Official Approval: _____

(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

[Handwritten signatures]

53

APR 22 2021



CLALLAM COUNTY BUDGET CHANGE FORM

Date Submitted: 4/22/21 ✓ Budget Hearing/Meeting Date: 5/25/21 ✓

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	11301.511 ✓	Budget Name	HHS Operations ✓
--------------------------	-------------	-------------	------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11301.511 ✓	HHS OPS ✓	33393.26.8015 ✓	DOH Covid19 Vaccine Services	254,803
11301.511 ✓	HHS OPS ✓	33393.32.3010 ✓	DOH ELC COVID Ed LHJ Allocation	249,731
11301.511 ✓	HHS OPS ✓	33393.32.3020 ✓	DOH ELC EDE LHJ Allocation	862,083
Total				1,366,617 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11301.511 ✓	HHS OPS ✓	50800.00.0000 ✓	Ending Fund Balance	300,000
11301.511 ✓	HHS OPS ✓	56210.1.0500 10.0500 ✓	Overtime	10,000
11301.511 ✓	HHS OPS ✓	56230.41.0020 ✓	Professional Services	897,317
11301.511 ✓	HHS OPS ✓	56230.41.4410 ✓	Advertising	35,000
11301.511 ✓	HHS OPS ✓	56230.45.0010 ✓	Building Office Rental	60,000
11301.511 ✓	HHS OPS ✓	56230.47.0090 ✓	Utilities	15,000
11301.511 ✓	HHS OPS ✓	56230.42.0010 ✓	Telephone	300
11301.511 ✓	HHS OPS ✓	59462.64.0010 ✓	Machinery and Equipment	4,000
11301.511 ✓	HHS OPS ✓	59462.64.5500 ✓	IT Capital	5,000
11301.511 ✓	HHS OPS ✓	56230.31.0020 ✓	Operating Supplies	15,000
11301.511 ✓	HHS OPS ✓	56230.31.0010 ✓	Office Supplies	20,000
11301.511 ✓	HHS OPS ✓	56230.49.0065 ✓	License Renewal	5,000
Total				1,366,617 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Department of Health Consolidated Contract amendment #20 is adding funding to provide covid-19 services. The funding will be used to pay for current employees who are reassigned to covid-19 duties and for overtime payments for those who are working the mass vaccination clinics.

County Official Approval: _____

57

CLALLAM COUNTY BUDGET CHANGE FORM

RECEIVED
CLALLAM CO. FINANCE

APR 22 2021



Date Submitted: 4/22/21 ✓

Budget Hearing/Meeting Date: 5/25/21 ✓

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	00100.511 ✓	Budget Name	HHS – Environmental Health ✓
--------------------------	-------------	-------------	------------------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.513	HHS – Env Health ✓	33403.14.0059	CPG Solid Waste Enforcement	17,754
00100.511				
Total				17,754 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.293 ✓	General Fund Reserves ✓	50800.00.0000 ✓	Ending Fund Balance	17,754
Total				17,754 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Funding is being received from the Department of Ecology for the Solid Hazardous Waste program activities.

County Official Approval: _____

(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

[Handwritten signature]

CLALLAM COUNTY BUDGET CHANGE FORM

APR 22 2021



Date Submitted: 4/22/21 ✓ Budget Hearing/Meeting Date: 5/25/21 ✓

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx. 00100.511 ✓ Budget Name HHS Environmental Health ✓

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.511 ✓	HHS Env. Health ✓	33393.26.8015 ✓	DOH Covid19 Vaccine Services	40,000
00100.511 ✓	HHS Env. Health ✓	33393.32.3010 ✓	DOH ELC COVID Ed LHJ Allocation	10,000
00100.511 ✓	HHS Env. Health ✓	33393.32.3020 ✓	DOH ELC EDE LHJ Allocation	10,000
Total				60,000 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.511 ✓	HHS Env. Health ✓	56252.10.0500 ✓	Overtime	2,000
00100.511 ✓	HHS Env. Health ✓	56256.10.0500 ✓	Overtime	3,000
00100.511 ✓	HHS Env. Health ✓	56254.10.0500 ✓	Overtime	3,000
00100.511 ✓	HHS Env. Health ✓	56260.10.0500 ✓	Overtime	2,000
00100.293 ✓	General Fund Reserves ✓	50800.00.0000 ✓	Ending Fund Balance	50,000
Total				60,000 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Department of Health Consolidated Contract amendment #20 is adding funding to provide covid-19 services. The funding will be used to pay for current employees who are reassigned to covid-19 duties and for overtime payments for those who are working the mass vaccination clinics.

County Official Approval: 
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)


5A

APR 22 2021

CLALLAM COUNTY BUDGET CHANGE FORM



Date Submitted: 4/22/21

Budget Hearing/Meeting Date: 5/25/21

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	00100.511 ✓	Budget Name	HHS Environmental Health ✓
--------------------------	-------------	-------------	----------------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.511 ✓	HHS Env. Health ✓	34626.64.0000 ✓	Group A Water SS – Part 1	2,800
00100.511 ✓	HHS Env. Health ✓	34626.65.0000 ✓	Group A Water SS – Part 2	2,800
00100.511 ✓	HHS Env. Health ✓	34626.66.0000 ✓	Group A Water TA	1,000
Total				6,600 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11301.511	HHS Env. Health	56252.31.0010 ✓	Office Supplies	500
11301.511	HHS Env. Health	56252.31.0075 ✓	Laboratory Supplies	1,500
00100.293 ✓	General Fund Reserves ✓	50800.00.0000 ✓	Ending Fund Balance	4,600
Total				6,600 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Department of Health Consolidated Contract Amendment #20 adds \$6,600 for water system technical assistance and sanitary surveys.

County Official Approval: _____

(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

[Handwritten signature]

APR 22 2021

CLALLAM COUNTY BUDGET CHANGE FORM



Date Submitted: 4/22/21 ✓

Budget Hearing/Meeting Date: 5/25/21 ✓

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	00100.513 ✓	Budget Name	HHS Administration ✓
--------------------------	-------------	-------------	----------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.513 ✓	HHS Admin ✓	33321.01.9010 ✓	DOH COVID-19 LHJ LOCAL CARES	88,589
Total				88,589 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.293 ✓	General Fund Reserves ✓	50800.00.0000 ✓	Ending Fund Balance	88,589
Total				88,589 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Supplemental revenue received from the Department of Health for Covid-19 activities.

County Official Approval: 
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)



APR 22 2021

CLALLAM COUNTY BUDGET CHANGE FORM



Date Submitted: 4/22/21 ✓

Budget Hearing/Meeting Date: 5/25/21 ✓

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	00100.513 ✓	Budget Name	HHS Administration ✓
-------------------------------------	-------------	-------------	----------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.513 ✓	HHS Admin ✓	33393.26.8015 ✓	DOH Covid19 Vaccine Services	40,000
00100.513 ✓	HHS Admin ✓	33393.32.3010 ✓	DOH ELC COVID Ed LHJ Allocation	10,000
00100.513 ✓	HHS Admin ✓	33393.32.3020 ✓	DOH ELC EDE LHJ Allocation	10,000
Total				60,000 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.513 ✓	HHS Admin ✓	56210.10.0500 ✓	Overtime	10,000
00100.293 ✓	General Fund Reserves ✓	50800.00.0000 ✓	Ending Fund Balance	50,000
Total				60,000 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Department of Health Consolidated Contract amendment #20 is adding funding to provide covid-19 services. The funding will be used to pay for current employees who are reassigned to covid-19 duties and for overtime payments for those who are working the mass vaccination clinics.

County Official Approval: 
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

55

APR 15 2021



CLALLAM COUNTY BUDGET CHANGE FORM

Date Submitted: 04/14/2021 ✓

Budget Hearing/Meeting Date: 05/25/2021 ✓

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or revisions within departments
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	11068.811 ✓	Budget Name	Sheriff - Operation Stonegarden Grant
--------------------------	-------------	-------------	---------------------------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11068.811 ✓	Sheriff – Operation Stonegarden ✓	33397.06.7020 ✓	Operation Stonegarden 2020	\$ 169,763
Total				\$ 169,763 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11068.811 ✓	Sheriff – Operation Stonegarden ✓	52120.41.0510	Port Angeles Police Dept	\$ 62,000
66	66	52120.41.0515	Sequim Police Dept	\$ 12,000
66	66	52120.41.0555	WA State Fish & Wildlife	\$ 8,000
66	66	52120.41.5130	Sheriff	\$ 52,000
66	66	59421.64.0010	Machinery & Equip	\$ 33,298
66	66	52120.99.0010	Indirect Cost Charges	\$ 2,465
Total				\$ 169,763 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Funding from 2020 Operation Stonegarden Program Grant award #E21-202 that is anticipated to be expended in FY2020:.

FY2021.

County Official Approval: _____

(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

[Handwritten signatures]

45

APR 21 2021



CLALLAM COUNTY BUDGET CHANGE FORM

4/21/2021

Date Submitted: 04:16:21

Budget Hearing/Meeting Date: 05.25.21 ✓

- ☒ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☐ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	30401.331 ✓	Budget Name	Community Development – Dungeness Reservoir ✓
--------------------------	-------------	-------------	---

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
30401.331 ✓	DCD – Dng Res ✓	34529.00.0020 ✓	Environmental Services	\$70,000
Total				\$70,000 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
30401.331 ✓	DCD – Dng Res ✓	55310.41.0020 ✓	Professional Services	\$70,000
Total				\$70,000 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION: FUNDING

Clallam Conservation District ~~grant~~ for consulting on the Dungeness Reservoir Project.

County Official Approval: R. Tyle
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

[Handwritten signature]

46



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

609
5/25/21

Department: DCD

WORK SESSION ☒ Meeting Date: 5/17/2021

REGULAR AGENDA ☒ Meeting Date: 5/25/2021

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|--|--|---|
| ☒ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Other Presentation of Ecology changes |

Documents exempt from public disclosure attached: ☐

Executive summary:

On October 30, 2018 the Board adopted Resolution 91 to approve an updated Clallam County Shoreline Master Program (SMP) for submittal to the Washington State Department of Ecology (Ecology) for state review and approval. Ecology responded March 29, 2021 with specific changes necessary to make the proposed SMP approvable, which include required and recommended changes to the locally adopted SMP. Environmental Science Associates will be in attendance to provide the Board and the public information regarding Ecology's requests and the language decided for the Lake Sutherland buffers. The BoCC will solicit comments from the public at a hearing to be scheduled June 15, 2021.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Approve the attached Call for Hearing to be scheduled June 15, 2021.

County Official signature & print name: Mary H. Clark

Name of Employee/Stakeholder attending meeting: Donella Clark

Relevant Departments: _____

Date submitted: 5/5/2021

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



RESOLUTION _____, 2021

CALL FOR PUBLIC HEARING ON UPDATE OF THE CLALLAM COUNTY SHORELINE
MASTER PROGRAM (SMP) AND ADMINISTRATIVE PROCEDURES

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. The Washington Shoreline Management Act (SMA), RCW 90.58, requires the County to review and update the existing Clallam County Shoreline Master Program (SMP) consistent with the SMA and state SMP guidelines under WAC 173-26.
2. Under the SMA, the County and Washington State Department of Ecology (Ecology) share joint authority and responsibility for the update and administration of the SMP. Updates to the SMP require approval by Ecology to be effective.
3. On October 30, 2018, the Clallam County Board of Commissioners adopted Resolution 91 to approve the updated Clallam County SMP for submittal to the Washington State Department of Ecology for state review and approval.
4. Comments from Ecology were received March 29, 2021 identifying specific changes necessary to make the proposed SMP approvable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Clallam County Commissioners, in consideration of the above findings of fact:

1. That the Board will hold a public hearing on Tuesday, June 15, 2021 at 10:30 a.m., or as soon thereafter as possible in the Commissioners' Meeting Room of the Clallam County Courthouse, 223 East 4th Street, Room 160, Port Angeles, Washington, to obtain public comment on the required and recommended changes proposed by the Department of Ecology to the Locally Adopted Clallam County Shoreline Master Program (SMP) and procedures for the administration of the SMP by the repeal and replacement of Chapter 35.01, Shoreline Management, of the Clallam County Code (CCC) under Title 35 CCC, Shorelines.

PASSED AND ADOPTED this _____ day of _____ 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

ATTEST:

Randy Johnson

Loni Gores, Clerk of the Board

Bill Peach

PUBLIC HEARING

Update of Clallam County Shoreline Master Program (SMP) and Administrative Procedures

NOTICE IS HEREBY GIVEN that the Clallam County Board of Commissioners will conduct a public hearing on Tuesday, June 15, 2021 at 10:30 a.m., or as soon thereafter as possible in the Commissioners' Meeting Room of the Clallam County Courthouse, 223 East 4th Street, Room 160, Port Angeles, Washington. The purpose of the public hearing is to receive public testimony on the required and recommended changes proposed by the Department of Ecology to the Locally Adopted Clallam County Shoreline Master Program (SMP) and procedures for the administration of the SMP by the repeal and replacement of Chapter 35.01, Shoreline Management, of the Clallam County Code (CCC) under Title 35 CCC, Shorelines.

SUMMARY OF PROPOSAL: The SMP addresses compliance with the state Shoreline Management Act (SMA), RCW 90.58, and state SMP update guidelines (WAC 173-26). It includes goals and policies, regulations for new development and uses, and administrative procedures for shoreline permitting process. As required by the SMA, the SMP applies to all marine waters, reaches of rivers and streams where the mean annual flow is more than 20 cubic feet per second, and lakes and reservoirs 20 acres or greater in size that are within the jurisdiction of Clallam County; and to lands adjacent to these water bodies (together with lands underlying them) extending landward 200 feet in all directions from the ordinary high water mark; floodways and contiguous floodplain areas landward 200 feet from such floodways; and associated wetlands and river deltas. To consolidate regulations associated with SMP water bodies, the proposed SMP would also include the full extent of the mapped 100-year floodplain and land necessary to protect critical areas as defined in RCW 36.70A that are overlapping or otherwise coincident with the shoreline jurisdiction as allowed pursuant to RCW 90.58.030(2)(d)(i,ii).

Under the SMA, the County and Washington State Department of Ecology share joint authority and responsibility for the update and administration of the SMP. Updates to the SMP require approval by Ecology to be effective. The Board of Clallam County Commissioners will consider public comment received prior to taking action on the required and recommended changes proposed by the Department of Ecology necessary to finalize the County's SMP update.

HOW TO COMMENT: All persons wishing to comment are welcome to either submit their written comments before the hearing is commenced or present written and/or oral comments in person during the public hearing. Written comments should be sent to the Clallam County Board of Commissioners, 223 East 4th Street, Suite 4, Port Angeles, WA 98362-3015. Comments may also be submitted online: <http://www.clallam.net/landuse/smp.html>

SMP DOCUMENTS AND INFORMATION: Ecology's response to the Locally Adopted SMP is available for review at the Clallam County Department of Community Development located in the Clallam County Courthouse at 223 E. 4th Street, Port Angeles, WA and on the County's SMP Update web page at: <http://www.clallam.net/LandUse/SMP.html>

In compliance with the Americans with Disabilities Act (ADA), appropriate aids and/or reasonable accommodations will be made available upon request. Requests must be received by the Commissioner's office (Phone: 360-417-2233; see address above) at least 7 days prior to the hearing. The facility is considered "barrier free" and accessible to those with physical disabilities.

Publish: May 30 and June 6

Bill: Dept. of Community Development

Loni Gores, Clerk of the Board

ATTACHMENT A: FINDINGS AND CONCLUSIONS FOR PROPOSED COMPREHENSIVE UPDATE OF CLALLAM COUNTY SHORELINE MASTER PROGRAM

SMP Submittal accepted December 4, 2018, Resolution No. 91-2018
Prepared by Michelle McConnell, March 12, 2021

INTRODUCTION

Ecology's Findings and Conclusions (presented herein), including reference to **Attachment B** (Required Changes) and **Attachment C** (Recommended Changes), provide the factual basis for the Department of Ecology's (Ecology) decision on the Clallam County (County's) comprehensively updated Shoreline Master Program (SMP). This document is divided into three sections providing an Introduction; the Findings of Fact regarding amendment history, the submittal, and local and state review; and Conclusions.

Description of Proposed Amendment

Clallam County has submitted a comprehensive update to their Shoreline Master Program (SMP) for review and approval by Ecology. The updated master program will regulate some 620 miles of shorelines, including approximately 131 miles of marine shoreline, six (6) lakes totaling over 1,500 acres, and some 481 miles of streams and rivers located within Clallam County. The SMP applies to Lake Sutherland, Lake Pleasant, Dickey Lake, Wentworth Lake, Elk Lake, and Beaver Lake. The County has seven (7) waterbodies designated shorelines of statewide significance: the marine waters of the Strait of Juan de Fuca and Pacific Ocean, as well as the Bogachiel, Calawah, Elwha, Quillayute and Sol Duc Rivers. The updated shoreline program will replace the county's existing shoreline program first adopted in 1976, last amended in 1992. The updated program establishes new goals, policies, and regulations to encourage and manage appropriate shoreline uses, public access, and protection and restoration of natural shoreline resources.

The comprehensive amendment contains locally tailored shoreline management policies, environment designations, regulations, and administrative provisions. SMP Chapter 7 establishes shoreline specific critical areas provisions. Critical areas within the shoreline jurisdiction will be regulated solely by SMP Chapter 7, and the Critical Areas Code located in CCC Title 27.12 will not apply within shoreline jurisdiction. Additional reports, and supporting information and analyses as noted throughout this document, were considered by Ecology during its review.

Need for the Amendment

The County currently manages shorelines under an SMP originally adopted and approved in 1976, last amended in 1992. The proposed amendment is needed to comply with the statutory requirement (RCW 90.58.080) for a comprehensive update to the County's SMP, consistent with the SMP Guidelines in WAC 173-26. The update also ensures the SMP is consistent with land use management policies provided by the County's Comprehensive Plan.

This Shoreline Master Program (SMP) amendment is intended to satisfy the statutory requirements of RCW 90.58.080(2)(a)(iii) to comprehensively update the County's SMP.

The record submitted by the County to Ecology as part of the SMP update, including Resolution No. 91-2018, reports, analyses and local approval materials, provides additional details to describe the jurisdiction's specific need for the proposed amendment.

SMP provisions to be changed by the amendment as proposed

The SMP comprehensive update is intended to entirely replace the County's existing SMP, including policies, regulations, the shoreline environment designations & maps, and administrative provisions. The updated SMP establishes standard shoreline buffers based on type of development, size of the lot, and the upland shoreline designation (SMP 6.3 Table 6-1), and regulates critical areas within shoreline jurisdiction with provisions of the SMP, including critical area buffers (SMP 6.3 Table 6-2). The updated SMP regulates activities and development along the County's shorelines using six (6) new shoreline environment designations, each containing designation criteria, purpose statements, and management policies:

- Aquatic
- Natural
- Resource Conservancy
- Shoreline Residential - Conservancy
- Shoreline Residential - Intensive
- Marine Waterfront

The proposed SMP uses these designations to tailor use and development allowance, prohibition, and other provisions based on shoreline conditions, as indicated at SMP 2.9 in Table 2-1 Residential Use Table and Table 2-2 Non-Residential Use Table.

FINDINGS OF FACT

Amendment History, Local Review Process

The County initiated the local planning process in November 2009 by entering into a grant agreement with Ecology (#G1000062). The record shows that extensive public outreach and engagement began early and was continuous throughout the process. Overall, the County's efforts far exceed the minimum standard, holding some 110 open public meetings and events. The general timeline below with key highlights outlines the local process:

- **Public Participation Strategy** was adopted in 2010, revised in 2011;
- **Public Forums** – The County held six (6) multi-event series of public forums at various locations across the County (typically at Forks, Sekiu, Port Angeles, and Sequim) to inform the public, gather input, and for presentation of various draft documents, for a total of thirty-three (33) individual forum events held from 2010 – 2017;
- **Consistency Review** – The County compared the existing SMP with state requirements under the SMA (RCW 90.58) and SMP Guidelines (WAC 173-26). The *Draft Consistency Review Report* (March 2011) and a *Final Consistency Review Report* (July 2011) identified and provided recommendations to: address inconsistencies, gaps and omissions; improve clarity and administration; and achieve Ecology approval of the updated SMP.
- **Focus Groups & Visioning Reports** – Approximately 130 citizens attended a series of stakeholder focus group discussions in January 2011, held at locations across the County. Three events focused one each on east, central and west end property owners, and the other two focus group events were for water-related business owners and recreation shoreline users. A focus group summary report helped inform preparation of the SMP visioning documents. Two reports were produced, including *Clallam County Shorelines in Transition - A Vision Statement for Clallam County SMP Update* (August 2011) for WRIAs 17 - 19; and *WRIA 20 Visioning Forum and Interview Report* (June 2011) specific to the rivers and lakes that drain to the Pacific Ocean.

- **Advisory Committees** – The County convened agency and technical experts as the No Net Loss Work Group that met twice in 2010 – 2011; and convened a broad array of over thirty (30) citizens and stakeholders as the SMP Update Committee that met thirteen (13) times in 2012;
- **Public outreach** methods included direct mailings to shoreline property owners, frequent messages to email distribution list of 600+ recipients, frequent project status and materials on a multi-page website, display ads in three (3) local newspapers, press releases to local papers and radio, listening sessions and guest presentations with over a dozen local entities including salmon recovery, marine resource, watershed planning, land use, trade, and civic groups/organizations.
- **Affected tribes** were on distribution lists, and involved in the committees and outreach groups. Tribal representatives were part of the No Net Loss Work Group, and natural resources/fisheries staff from the Quileute, Lower Elwha Klallam, Jamestown S’Klallam and Makah Tribes participated as representatives on the SMP Update Committee.
- **Planning Commission** – The County Planning Commission was briefed on project status, committee work, reviewed public input, and various drafts of related background documents at thirteen (13) meetings from 2011 - 2013. The group held four (4) legally noticed public hearings in February 2015 at locations across the County. They reviewed a 2014 Draft SMP and comments received at nineteen (19) meetings from March 2015 – April 2016. The Planning Commission then reviewed a 2017 Revised Draft SMP at seven (7) meetings, and recommended approval of a draft comprehensive SMP update amendment to the Board of County Commissioners (Board) on September 20, 2017.
- **Board of County Commissioners** – The Board was briefed on project status along the way, including a June 2017 overview of the Revised Draft SMP under final review by the Planning Commission. The Board held three (3) study sessions to review the September 2017 Planning Commission Recommended Draft SMP prior to holding a public hearing in December 2017. The Board deliberated on the merits of the proposal and considered public comments received at sixteen (16) work sessions from January - October 2018. The Board reviewed a September 2018 Draft SMP at two (2) work sessions in September – October 2018 that contained revisions based on their discussions and corrections identified by staff.

On December 12, 2017, the Board held a public hearing on the proposed comprehensive SMP update. Notice of the hearing was published October 15, November 5 and 26, 2017 in the *Peninsula Daily News*. The Board considered the proposed SMP and comments received at thirteen (13) meetings in January to August 2018, and then reviewed a 2018 Revised Draft SMP at three (3) further meetings. On October 30, 2018, the Board adopted Resolution No. 91-2018, approving the County’s comprehensive SMP update for submittal to Ecology for final review and approval.

Below are some highlighted features of the submittal package:

Inventory and Characterization (WAC 173-26-201)

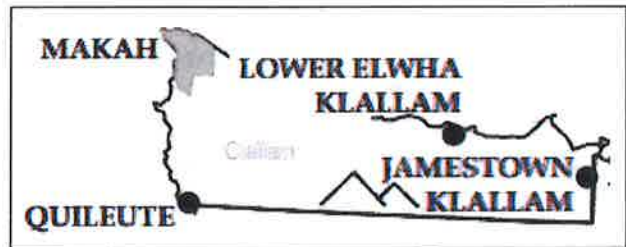
Documentation of current shoreline conditions is a key part of the SMP update process and meeting the requirement to address the no net loss standard of the SMP Guidelines (WAC 173-26-186). The County worked with two consulting groups, one focused on the shorelines of WRIs 17 – 19 along the Strait of Juan de Fuca, and one focused on the shorelines of WRIA 20 that drain to the Pacific Ocean. Draft and final reports were prepared to document existing shoreline conditions and help inform

preparation of the County's SMP, including environment designations, policies and use regulations, thereby presenting the County's overall inventory and characterization (ICR) as a two volume set:

- *Draft Shoreline Inventory and Characterization Report for Portions of Clallam County Draining to the Strait of Juan de Fuca* (ESA; June 2011);
- *Final Shoreline Inventory and Characterization Report for Portions of Clallam County Draining to the Strait of Juan de Fuca* (ESA; March 2012);
- *Draft WRIA 20 Shoreline Inventory and Characterization Report* (UW-ONRC; June 2011)
- *Revised WRIA 20 Inventory and Characterization Report* (UW-ONRC; May 2012).

Federal Lands - Clallam County is unique in that it includes considerable areas of federal lands in the Olympic National Forest and Olympic National Park located in the interior and along the Pacific coast. Olympic National Park is an area of exclusive federal jurisdiction thereby removing Lake Crescent, Lake Ozette, and the marine areas from ordinary high water mark (OHWM) to extreme low tide from SMA and SMP jurisdiction; areas that would otherwise be considered shorelines of statewide significance. In addition, an abundance of other public and private commercial forest lands exist across the County, an especially predominate zoning designation in the West End with 66% along marine shores and 40% of the freshwater shorelines.

Tribal Lands - The County also shares geography with four (4) federally recognized Tribal nations including the Makah, Quileute, Lower Elwha S'Klallam, and Jamestown S'Klallam that have trust land reservations located at Neah Bay, La Push, mouth of the Elwha River, and the head of Sequim Bay, respectively.



Channel Migration Zones - The Strait ICR identifies twelve (12) rivers with mapped channel migration zones (CMZs) where the natural process of gradual or sudden shifts in channel location are likely to occur. The Pacific ICR notes channel migration along the Bogachiel, Calawah, and Sol Duc Rivers. The County considered the channel migration information from the most current and accurate sources, including a detailed Dungeness River CMZ delineation prepared by the Jamestown S'Klallam Tribe and the series of channel migration assessments & maps initially prepared by Ecology in 2011 – 2013, and finalized in 2018 (corrections/clarifying edits but no additional technical analysis). The Ecology CMZ reports do not provide detailed delineations or specific locations for CMZs at the parcel scale, but rather coarse scale assessments and approximate boundaries as planning-level channel migration zones (pCMZs). These pCMZs are based on professional geomorphic assessment prepared in accordance with standard practice. The boundaries should be refined for project level development activities to more accurately reflect the risk on a site scale. The Puget Sound pCMZs assess eleven (11) streams/rivers and the Pacific pCMZs address twenty-five (25) streams/rivers. The collection of reports includes:

- Delineation of the Dungeness River Channel Migration Zone - River Mouth to Canyon Creek; by Byron Rot and Pam Edens, Jamestown S' Klallam Tribe, October 1, 2008;
- Final Washington Department of Ecology Channel Migration Assessments for Clallam County: Puget Sound WRIAs 18-19 (April 2018);
- Final Washington State Department of Ecology Channel Migration Assessments for Clallam County: Pacific WRIA 20 (April 2018); and

- Washington State Department of Ecology Revised Channel Migration Assessment and Boundaries for Lower Morse Creek, Clallam County (January 2013).

Feeder Bluffs - The Straits ICR also identifies and discusses the variety of marine shoreforms present, including marine feeder bluffs as a distinct type of geomorphic feature. Chapter 3 provides reach scale assessment and differentiation for feeder bluffs, feeder bluff exceptional, feeder bluff talus, transport zones, accretion shoreforms,

Table 3-6. Strait of Juan de Fuca shoretype mapping and criteria for Clallam County (CGS 2011)

Marine Shoretype	Percent of Shoreline
Accretion Shoreform	30.5%
Transport Zone	19.2%
No Appreciable Drift	12.7%
Feeder Bluff - exceptional	10.3%
Feeder Bluff	9.2%
Feeder Bluff-talus	8.1%
Modified	10.0%

modified areas, and areas of no appreciable drift. The Appendix A Map Folio, especially Maps 1a – 1c Physical Characteristics for East, Central, and West Regions of the Strait of Juan de Fuca (respectively), depicts the location of feeder bluffs, drift cells, and shoreform type.

The County’s two-volume ICR and companion map portfolios provide watershed and reach-level analyses of existing shoreline environmental and land use conditions for each water body organized by water resource inventory area (WRIA) and by marine or freshwater reach segments. Reaches are delineated based on significant changes in the physical and biological composition of the regulated waterbody’s shoreline and their relative intensity of land use patterns, physical landscape, and various ecosystem processes.

Finding: Ecology finds that the two Inventory & Characterization Reports for WRIAs 17 – 19 and WRIA 20 adequately inventoried and analyzed the current conditions of the shorelines located in Clallam County. The reports synthesized existing information and were used to inform the master program update as well as provide a basis for future protection and restoration opportunities in County shoreline jurisdiction (WAC 173-26-201(3)(c) and (d)(1)).

Shoreline Jurisdiction and Shoreline Environment Designations (WAC 173-26-211)

The extent of shoreline jurisdiction is defined in RCW 90.58.030(2). Clallam County has opted to establish the maximum jurisdiction allowed by statute, including the optional full extent of the 100-year floodplain and land necessary for buffers for critical areas that occur within shorelines of the state. SMP 1.8 Jurisdictional Limits provides the detailed description.

Clallam County jurisdictional shorelines of the state need to be provided in a list of shoreline waterbodies; this required change is identified in **Attachment B** for consistency with WAC 173-18-044 and WAC 173-22-044, and is anticipated to be provided as an exhibit appended to the SMP.

Local governments are required to classify shoreline areas into shoreline environment designations (SEDs) based on the existing use pattern, biological and physical character of the shoreline, and the goals and aspirations of the community as expressed in their comprehensive plan. The Inventory and Characterization Reports are used to determine the relative degree of impairment and biophysical capabilities and limitations for individual shoreline reaches. Based on this assessment, along with consideration of anticipated future development, zoning and other regulatory overlays, local jurisdictions may apply the designation criteria provided in WAC 173-26-211 or develop their own tailored designation criteria.

The updated SMP proposes to establish six (6) SEDs: Aquatic; Natural; Resource Conservancy; both Shoreline Residential-Conservancy and Shoreline Residential-Intensive; and Marine Waterfront. The County mostly relies on the designation criteria established by WAC 173-26-211 with some local tailoring to the names and applicability as follows:

- Rural Conservancy is renamed as Resource Conservancy and primarily focused on forest lands;
- Shoreline Residential has two versions for differing density and intensity of residential uses;
- High Intensity is renamed as Marine Waterfront to better reflect local character and existing development patterns.

SMP 2 Shoreline Environment Designations describes the designation criteria, a purpose statement, and a set of management policies for each as follows: SMP 2.3 Aquatic; SMP 2.4 Natural; SMP 2.5 Resource Conservancy; SMP 2.6 Shoreline Residential-Conservancy; SMP 2.7 Shoreline Residential-Intensive; and SMP 2.8 Marine Waterfront.

Consistent with WAC 173-26-211(4)(iv)(A), the County's SMP 2.9 Allowed Use Table 2-1 Residential Development and Table 2-2 Non-Residential Uses identify the different types of shoreline activities that are permitted, conditionally permitted, and prohibited in each shoreline environment.

The mapped designations, illustrated in SMP Exhibit A Shoreline Environment Designations, are based upon and implement the designation criteria provided in SMP Chapter 2.

Finding: Ecology finds that the County SMP defines shoreline jurisdiction consistent with the Act and the record sufficiently documents the basis for assigning shoreline environment designations. The County's shorelines are adequately identified in SMP Section 1.8 Jurisdictional Limits, mapped in the Exhibit A Shoreline Environment Designations maps and, subject to a required change in **Attachment B**, a List of Shoreline Waterbodies will be appended to the SMP. Shoreline designations are adequately identified in SMP Chapter 2 and in the Exhibit A Shoreline Environment Designations maps. Ecology finds, subject to a required change in **Attachment B**, that for each environment designation the SMP includes a purpose statement, designation criteria, management policies, and regulations as required by WAC 173-26-211(4)(a).

General Master Program Provisions (WAC 173-26-221)

The SMP Guidelines in WAC 173-26-221 list general provisions that are intended to apply broadly to all of types of shoreline development regulated by master programs, including the following subsections: (1) Archaeological and Historic Resources; (2) Critical Areas; (3) Flood Hazard Reduction; (4) Public Access; (5) Shoreline Vegetation Conservation; and (6) Water Quality, Stormwater and Nonpoint Pollution.

In addition, WAC 173-26-191 requires SMP contents to address elements including, but not limited to, economic development, public access, conservation, historical, cultural, scientific and educational values, and flood damage. WAC 173-26-201 requires SMPs to ensure ‘at minimum, no net loss of shoreline ecological functions necessary to sustain shoreline natural resources’. The County’s SMP Chapters 5 through 8 include the following general provisions:

5.2 Clearing, Grading and Filling Policies at 5.2.1 and Regulations at 5.2.2 help conserve shoreline vegetation by setting standards that limit vegetation removal and minimize adverse impacts including stormwater pollution. A required change is included in **Attachment B** to ensure consistency with the WAC requirements for fill activities.

5.3 Public Access Policies at 5.3.1 and Regulations at 5.3.2 set standards to ensure the public’s ability to reach, touch, and enjoy the water’s edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. Select provisions focus on balancing access with ecological protection and property rights, maintaining, improving and expanding existing views and facilities, and providing new access opportunities, as well as encouraging collaboration with State Parks and other public land owners, future preparation of an integrated shoreline access plan, and implementation of the County’s Park & Recreation Plan. A required change is included in **Attachment B** to ensure consistency with the WAC requirements for multifamily residential development activities.

5.4 Water Quality and Water Management Policies at 5.4.1 and Regulations at 5.4.2 set standards to address the physical, chemical, and biological condition of water resources for human use, drinking water and recreation, fish and shellfish. Provisions limit pollution from direct discharge, stormwater, chemical use, erosion, septic systems, industry, and building materials such as treated wood.

5.5 Archaeological, Historical, and Cultural Resources Policies at 5.5.1 and Regulations at 5.5.2 set minimum standards for site inspection at locations with known resources, and for stop work upon inadvertent discovery, and establish additional provisions to protect known sites/resources.

6 Shoreline Buffers and Vegetation Conservation Policies at 6.2 and Regulations at 6.3 General, 6.4 Shoreline Buffer Averaging, 6.5 Shoreline Buffer Clearing, 6.6 Development Allowed in the Buffer, and 6.7 View Protection Common Line Buffer set standards for vegetation conservation to protect people and property from natural hazards and to protect shoreline ecological resources from the impacts of human activities. When multiple shoreline and/or critical area buffers are contiguous or overlapping, the landward-most edge of all such buffers applies. A required change is included in **Attachment B** to ensure the Lake Sutherland reduced buffer allowance is consistent with WAC requirements for mitigation and no net loss of ecological functions.

7 Critical Areas within Shoreline Jurisdiction General Policies at 7.2 and General Regulations at 7.3 set standards for protection of shoreline critical areas, including critical freshwater and critical saltwater habitats; these provisions are separate from the County’s critical areas ordinance (CCC 27.12). Additional regulations for specific critical areas are included as follows:

7.4 – 7.6 Wetlands - Designation, Delineation, Mapping & Classification; Buffers; and Protection Standards. A required change is included in **Attachment B** to ensure

consistency with the most current technical guidance and the WAC requirements for wetland alteration activities.

7.7 – 7.9 Aquatic Habitat Conservation Areas - Designation & Mapping; Buffers; and Protection Standards

7.10 – 7.11 Class I & II Terrestrial Habitat Conservation Areas - Designation & Mapping; and Protection Standards. A required change is included in **Attachment B** to correct an internal reference error.

7.12 – 7.14 Geologically Hazardous Areas - Designation, Classification & Mapping; Buffers; and Protection Standards, for landslide, erosion, and seismic hazards, including feeder bluff, and channel migration areas;

7.15 – 7.16 Frequently Flooded Areas - Designation & Mapping; and Protection Standards

7.17 – 7.18 Critical Aquifer Recharge Areas - Designation, Mapping & Classification; and Protection Standards

These provisions ensure shoreline critical areas are protected to achieve no net loss of ecological functions. The regulations include allowances to adjust the standard buffer width through various mechanisms such as buffer averaging or buffer reduction without a shoreline variance, when site-specific conditions meet certain criteria.

8 Mitigation and No Net Loss Policies at 8.2, General Mitigation Requirement Regulations at 8.3, Compensatory Mitigation Plan Content Regulations at 8.4, and critical area-specific Mitigation Plan Regulations as follows: 8.5 Wetlands; 8.6 Aquatic and Wildlife Habitat Conservation Areas; 8.7 Frequently Flooded Areas; and 8.8 Critical Aquifer Recharge Areas. Collectively these provisions establish requirements for NNL of ecological function, mitigation sequencing, and evaluation of cumulative impacts.

***Finding:** Ecology finds that, subject to required changes in **Attachment B**, the general policies and regulations are consistent with WAC 173-26-221.*

Shoreline Modifications (WAC 173-26-231)

The SMP Guidelines in WAC 173-26-231 define “shoreline modifications” as: “...generally related to construction of physical elements such as a pier, floating structure, shoreline stabilization, dredged basin, or fill...” and WAC 173-26-231(2)(b) establishes a general principle that master programs should: “Reduce the adverse effects of shoreline modifications, and as much as possible, limit shoreline modifications in number and extent.” These shoreline modification principles and standards contained in WAC 173-26-231 are reinforced through associated requirements for mitigation sequencing (WAC 173-26-201(2)(e) and the no net loss of shoreline ecological function standard (WAC 173-26-186) noted above.

Clallam County’s SMP regulates shoreline modifications in SMP Chapter 4 including the policies and regulations of 4.1 Beach Access Structures; 4.2 Boating Facilities and Moorage; 4.3 Dredging and Dredge material Disposal; 4.4 Flood Hazard Management and Flood Control Structures; 4.5 In-stream and In-water Structures; and 4.6 Shoreline Stabilization. The County SMP addresses both boating facilities per WAC 173-26-241(3)(c) and piers and docks per WAC 173-26-231(3)(b) collectively as Chapter 4.2 Boating Facilities and Moorage, including non-residential and those accessory to residential development. A required change is included in **Attachment B** to ensure the non-residential docks/piers/floats standard is consistent with WAC requirements for public access.

Finding: Ecology finds that, subject to required changes in **Attachment B**, the shoreline modification policies and regulations are consistent with WAC 173-26-231.

Shoreline Use Provisions (WAC 173-26-241)

The SMP Guidelines in WAC 173-26-241 are intended to both recognize existing uses and ensure that future development will be appropriately managed consistent with the underlying policies of the SMA. Avoidance of use conflicts through coordinated planning and recognition of “preferred” shoreline uses is a primary tenant of the SMA (RCW 90.58.020). Updates to local SMPs are intended to support these goals through development of appropriate master program provisions, based on the type and scale of future shoreline development anticipated within a particular jurisdiction.

Consistent with WAC 173-26-186(5), the County SMP reflects the principle that the regulation of private property needs to be consistent with all relevant constitutional and other legal limitations. The updated SMP varies the allowed uses within each SED depending on the current level of impairment of shoreline functions. This is based on the inventory and characterization, existing land use patterns, and use preferences. No Net Loss and Mitigation Sequencing requirements are contained in SMP Chapter 8, described above.

Clallam County’s SMP provides context and regulates specific types of shoreline use with the Applicability, Policy, Regulation, and Application Requirement provisions of SMP Chapter 3, including:

- | | |
|---|---------------------|
| 3.1 Agriculture | 3.7 Recreation |
| 3.2 Aquaculture | 3.8 Residential |
| 3.3 Commercial and Industrial Development | 3.9 Restoration |
| 3.4 Forest Practices | 3.10 Signs |
| 3.5 Mining | 3.11 Transportation |
| 3.6 Parking | 3.12 Utilities |

A required change is included in **Attachment B** to ensure the allowance for accessory parking is consistent with WAC requirements for parking that supports shoreline public access.

Preferred uses, other priority uses, and property rights are explicitly addressed by these provisions:

- 3.2.1 Aquaculture Policy #1;
- 3.3.1 Commercial & Industrial Policy #2;
- 3.3.2 Commercial & Industrial Regulation #8;
- 3.7.1 Recreation Policies #1 and 2; and
- 3.7.2 Recreation Regulations #10 and 14

Finding: Ecology finds that, subject to required changes in **Attachment B**, the County has established a system of use regulations consistent with WAC 173-26-241 along with related environment designation provisions that accommodate preferred and priority uses, protect property rights while implementing the policies of the SMA, reduce use conflicts, and assure no net loss of shoreline ecological functions.

Shorelines of Statewide Significance (WAC 173-26-251)

RCW 90.58.020 specifically calls out Shorelines of Statewide Significance (SSWS) for special consideration, declaring that “the interest of all of the people shall be paramount in the management” of these shorelines. The seven (7) shorelines of statewide significance in the County include:

- Pacific Ocean;
- Strait of Juan de Fuca;
- Bogachiel River;
- Calawah River;
- Elwha River;
- Quillayute River; and
- Sol Duc River.

The Shoreline Guidelines in WAC 173-26-251 require that local master programs recognize the specific use preferences identified in the SMA and provide for “*optimum implementation*” of the statutory policy. This is done by providing SMP provisions that implement: (a) statewide interest, (b) preserve resources for future generations and (c) give preference to uses identified in RCW 90.58.020.

The SMP as a whole is consistent with the policies of RCW 90.58.020. Specifically, SMP 9 Shorelines of Statewide Significance including 9.1 Adoption of Policy and the order of preference, 9.2 Designation of SSWS for shorelines in Clallam County, and 9.3 Additional Policies for SSWS to ensure consistency with the Act and WAC 173-26-251, address these special considerations. Additionally, the provisions of SMP 3.2.5 Aquaculture Application Requirements for Cumulative Impact Analysis; 3.4.2 Forest Practices Regulation #2; 3.10.1 Signs Policy #1; and 4.5.1 In-stream & In-water Structures Policy #3 contribute to the optimum implementation of the SSWS statutory policy.

Finding: Ecology finds that the SMP has accurately identified SSWS within the County’s jurisdiction, is consistent with RCW 90.58.020 and WAC 173-26-251, and provides for optimum implementation of the statutory policy.

Cumulative Impact Analysis (WAC 173-26-201(3)(d)(iii))

Addressing no net loss of ecological functions is a critical element in any SMP update. Ecology rules require that “Master programs shall contain policies and regulations that assure at minimum, no net loss of ecological functions necessary to sustain shoreline natural resources.”¹ A cumulative impacts analysis (CIA) documents how an SMP update addresses no net loss of ecological functions. The *Final Cumulative Impacts Analysis and No Net Loss Report*, prepared by ESA June 2017, includes review and analysis of current circumstances and shoreline ecological functions, potential impacts, reasonably foreseeable future shoreline uses, effects on shoreline functions, applicable SMP provisions, and development tracking & response. The County created a *Shoreline Checklist & Statement of Exemption Form* as a permit application and review tool for demonstrating project consistency with the SMP policies and regulations (Appendix A to the CIA).

The CIA concludes that based on the current circumstances, reasonably foreseeable future development/use, and potential beneficial effects of established regulatory programs:

¹ WAC 173-26-201(2)(c)

- The regulatory provisions of the SMP will be effective in preventing cumulative impacts on habitat, hydrology and water quality functions, provided they are effectively implemented; and
- The County will achieve no net loss through the adoption and implementation of the SMP.

Finding: Ecology finds that the County's Cumulative Impact Analysis (CIA) provides an adequate examination of anticipated development and potential effects to shoreline ecological functions per WAC 173-26-201(3)(d)(iii).

Shoreline Use Analysis (WAC 173-26-201(3)(d)(ii))

The County analyzed current and future potential land uses and trends to address the SMP Guidelines requirement to project future shoreline development, identify potential use conflicts and ensure preference is given to water oriented uses, particularly preferred uses that are unique to or dependent upon a shoreline location.

WRIA 17 – 19

The Straits ICR and the CIA-NNL Report present related parts of the analysis for approximately 2,700 individual parcels of land that directly adjoin shorelines of the state, including the following findings:

Marine Shores

- Much of the land is vacant or “underdeveloped” and includes both sub-dividable and non-sub-dividable parcels likely to be developed in the future.
- Pertinent issues include residential use (particularly in the East End) and shoreline vegetation management.
- Commercial forestry is the second most dominant land use (particularly in the West End) however, forest practices are generally not regulated by the Shoreline Management Act.
- Unincorporated portions of Clallam County marine shorelines have little commercial, industrial, or port use.
- Key management considerations include:
 - New residential development on/near feeder bluffs, landslide hazards, and erosion hazard areas.
 - New residential development on low bank accretion shores.
 - New in-water and overwater structures such as docks, piers, marinas.

Table 2-2. Potentially Developable Lands within SMP Jurisdiction along the Marine Shoreline (excluding WRIA 20)

Planning Region	Total Area Within SMP Jurisdiction (acres)	Potentially Developable Lands (acres)	Percent (%) Developable Lands
East	2,538	760	30%
Middle	866	146	17%
West	971	264	27%

Freshwater Shores

- Future use and development of freshwater shorelines, especially in the west, will put additional pressure on freshwater ecosystems.
- Key management considerations include:
 - Conversion of forest land and removal of existing forest cover along river corridors may degrade habitat, reduce water quality, alter flow patterns, and destabilize river banks.
 - Placement of structures in floodplains, channel migration zones, and landslide hazard areas increases the risk to human health and safety, adversely alters water quality and flows, degrades habitat, and increases the risk of downstream flooding and erosion.
 - There is significant restoration potential for reforestation, placement of large woody debris, barrier removal, and other restoration projects in many watersheds as outlined in detail in the NOPL strategy and individual watershed recovery plans.

Table 2-3. Potentially Developable Lands within SMP Jurisdiction along Freshwater Shorelines (excluding WRIA 20)

Planning Region	Total Area Within SMP Jurisdiction (acres)	Potentially Developable Lands (acres)	Percent (%) Developable Lands
East	3,601	434	12%
Middle	4,049	981	24%
West	6,814	3,073	45%

WRIA 20

For the 735,000 acre WRIA 20, the Pacific ICR and the CIA-NNL Report present related parts of the analysis. Overall, residential development is the dominant shoreline use although the pattern is light and scattered, mostly located along the side of the shoreline closest to major roads, with few bridges and very little bank armoring. The mill on Lake Pleasant is the only industrial facility in SMP jurisdiction. Agricultural use is very limited with just a few small-scale cattle operations located along the shoreline.

Countywide Analysis

The CIA-NNL Report identified twenty-four (24) Analysis Areas with the greatest potential for future development within a 20-year planning horizon: 15 in WRIs 17-19 and 9 in WRIA 20. This subset comprises approximately 37% of the County's total shoreline miles, and includes all areas where future development is anticipated to be most intense. Some key findings include:

Marine Analysis Areas

- Of nearly 1,200 residential parcels, about 74% are occupied, about 26% are vacant or undeveloped, and 88% of the occupied parcels are not sub-dividable.
- Approximately 136 new shoreline lots could be created through subdivision along the Strait of Juan de Fuca, for an 11% increase in the number of residential lots. About 60 new lots (44%) would be located in a 2-mile stretch between Morse Creek and Port Angeles.

Freshwater Analysis Areas – WRIs 17 - 19

- Of nearly 1,025 residential parcels, about 72% are occupied, about 28% are vacant/undeveloped, and 92% of the occupied parcels are not sub-dividable.
- All of the Analysis Areas have some potential for subdivision, for approximately 140 new lots, a 13% increase in residential lots. About 46 new lots (33%) would be located along Morse Creek, with another 22 new lots (16%) along Clallam River.

Freshwater Analysis Areas – WRIA 20

- 62% of the approximate 909 residential parcels are vacant and about 38% are developed.
- Nearly all of the Analysis Areas have potential for subdivision, although it is generally limited by the wide extent of mapped floodplains associated with WRIA 20 Rivers.

Marine Analysis Areas (Proposed SED)	River and Lake Analysis Areas (Proposed SED)
Discovery Bay bluffs (SR-C) Diamond Point (SR-I) Travis Spit (SR-C) Sequim Bay (primarily SR-C) 3 Crabs (primarily SR-I) Dungeness Harbor (primarily SR-C) Dungeness Bluffs (primarily SR-C) Morse Creek to Port Angeles (SR-C) East Angeles Point (primarily SR-C; some Natural) Freshwater Bay (SR-C and SR-I) Whiskey Creek beach (SR-C; some Marine Waterfront) Lyre River vicinity (SR-C; some RC) Clallam Bay (Marine Waterfront, SR-I, SR-C, some Natural) Hoko River vicinity (SR-C, SR-I, some Natural) Bullman Beach (SR-I)	Clallam River (SR-C) Dungeness River (SR-C, some Natural) Elwha Tributaries (SR-C) Lake Sutherland (SR-I) Lyre River (SR-C, some SR-I) McDonald Creek (SR-C) Morse Creek (SR-I, SR-C, and Natural) Pysht River (SR-C) Salt Creek (SR-C)
N = Natural ; RC = Resource Conservancy; SR-C = Shoreline Residential - Conservancy; SR-I = Shoreline Residential- Intensive; MW = Marine Waterfront;	

The majority of shorelines outside of these Analysis Areas have relatively low potential for new residential, commercial and/or industrial development due to remote location, lack of public infrastructure, zoning for active timber management, or other limitations.

Finding: Ecology finds that the County has adequately considered current patterns, projected trends, SMA preferred uses and the potential for use conflicts consistent with WAC 173-26-201 (2)(d) and WAC 173-26-201 (3)(d)(ii).

Restoration Plan (WAC 173-26-201(c) and (f))

Local governments are directed to identify restoration opportunities as part of the SMP update process and to include policies that promote restoration of impaired shoreline ecological functions (WAC 173-26-201 (2)(c) and (f)). It is intended that local government, through the master program, along with other regulatory and non-regulatory programs, contribute to restoration by planning for and fostering such actions. These are anticipated to occur through a combination of public and private programs and actions.

The restoration planning component of the SMP is focused on voluntary mechanisms, not regulatory provisions. Clallam County prepared a *Countywide Shoreline Restoration Plan* (ESA, Draft August

2013; Final February 2016), based on information gathered in both Inventory & Characterization Reports which identified programmatic and site specific restoration opportunities organized by WRIA and river systems. The County's restoration planning is focused on restoration goals and objectives, existing plans, opportunities to improve impaired/degraded shoreline ecological functions, and implementation strategies such as funding, technical assistance, voluntary actions, environmental indicators/benchmarks, timelines, priorities, and potential partners.

The Plan addresses restoration in relation to protection, mitigation, and no net loss. Tables 3-1 through 3-7 identify specific actions by region, basin, river system, and reach based on the type of impairment/degradation, development potential, other restoration efforts completed, potential projects and opportunities for ecosystem/shoreline function improvement. Chapter 4 recognizes key challenges for implementation, identifies voluntary actions for private property owners, and sets targets for accomplishments at 2, 5, and 7 years after adoption.

The County's SMP 3.9 Restoration includes policies and regulations that establish the Restoration Plan goals and promote integrated and cooperative restoration efforts. The SMP 2.9 Allowed Uses in Each Shoreline Environment Designation Table 2-2 allows restoration and enhancement as a permitted use in all shoreline designations, and some specific types of projects are exempted from the permit process at SMP 10.2.5 Exemptions from Shoreline Substantial Development Permit.

Finding: Ecology finds that the Restoration Plan is based on appropriate technical information available during the SMP update and meets the requirements of WAC 173-26-201(2)(c) and (f).

Consistency Review

Consistency with the Shoreline Management Act (RCW 90.58): The proposed amendments have been reviewed for consistency with the policy and procedural requirements of RCW 90.58.020 and the approval criteria of RCW 90.58.090.

Consistency with applicable guidelines (WAC 173-26): The proposed amendments have been reviewed for compliance with the requirements of the applicable Shoreline Master Program guidelines (WAC 173-26-171 through 251 and -020 definitions). This included review of a SMP Submittal Checklist, which was completed by the County.

Consistency with SEPA Requirements: The County submitted evidence of compliance with RCW 43.21C, the State Environmental Policy Act (SEPA) in the form of a SEPA checklist and issued a Determination of Non-Significance (DNS) for the proposed SMP amendment on May 17, 2017. Ecology did not comment on the DNS.

Other Studies or Analyses supporting the SMP update

Ecology reviewed the following documents prepared by the County in support of the SMP amendment:

- *March 2011 Public Participation Strategy,*
- *July 2011 Consistency Review,*
- *May 2012 WRIA 20 Inventory and Characterization Report*
- *March 2012 Final Shoreline Inventory and Characterization Report for Portions of Clallam County Draining to the Strait of Juan de Fuca,*
- *February 2016 Countywide Shoreline Restoration Plan,*

- *June 2017 Cumulative Impacts Analysis and No Net Loss Report.*
- *October 2018 SMP Submittal Checklist*
- *October 2020 Clallam County 2020 Shoreline Master Program Update – Review of Lake Sutherland Proposed Buffer Technical Memorandum*

Department of Ecology review process

The proposed SMP comprehensive update was received by Ecology for state review on November 8, 2018. Ecology is required to determine if SMP submittals are complete and in compliance with Washington Administrative Code (WAC) 173-26-100 and 110.

Pursuant to WAC 173-26-100 and -110, Clallam County has satisfied the submittal requirements for a comprehensive SMP update as indicated below:

- A signed Resolution was provided to Ecology that indicated the County's approval of the proposed SMP with the adoption of Resolution 91-2018 on October 30, 2018 (WAC 173-26-110(1) & WAC 173-26-100(7));
- This comprehensive SMP update is intended to entirely replace the County's existing SMP (WAC 173-26-110(2));
- Updated shoreline environment designation maps were submitted to Ecology (WAC 173-26-110(3));
- Materials summarizing the update process were provided to Ecology (WAC 173-26-110(4));
- Evidence of compliance with the State Environmental Policy Act (SEPA) was provided to Ecology including a Determination of Nonsignificance issued by the County on October 16, 2017, along with a completed Environmental Checklist (WAC 173-26-110(5) & WAC 173-26-100(6));
- Evidence of compliance with the public notice and consultation requirements of WAC 173-26-100 was provided to Ecology (WAC 173-26-110(6));
- The County provided numerous opportunities for public and Ecology review and comment throughout the SMP update effort between 2010 and 2018. Notice of public hearings before the Planning Commission and Board of County Commissioners were duly advertised in the *Peninsula Daily News* newspaper and the hearings held on February 4, 12 & 18, 2015, and December 12, 2017. (WAC 173-26-110(7) & WAC 173-26-100(1-3));
- The County provided evidence that the public notice clearly stated the Shoreline Master Program update was required in compliance with RCW 90.58 and WAC 173-26;
- The County solicited comments on the draft SMP from Ecology as part of the 2015-2017 local process (WAC 173-26-110(5));
- A copy of the completed SMP submittal checklist was provided to Ecology (WAC 173-26-110(8));
- Copies of the County's shoreline inventory and characterization report, shoreline restoration plan, and cumulative impacts analysis were submitted to Ecology (WAC 173-26-110(9)).

Ecology provided the County with a letter verifying the submittal was complete on December 4, 2018.

Ecology Public Comment Period

Ecology held a public comment period from January 14 to February 28, 2019, at 5 p.m. Interested parties were notified using mail and email. Notice of the state comment period was distributed to state

task force members and interested parties identified by the County on December 28, 2018 in compliance with the requirements of WAC 173-26-120. Four (4) tribal governments were individually and specifically notified and invited to comment: the Makah, Quileute, Lower Elwha Klallam, and Jamestown S'Klallam. This notice identified that the SMP amendment is intended to satisfy the state statutory requirements of RCW 90.58.080 to comprehensively update the County's SMP. Notice of the comment period, including a description of the proposed SMP and the authority under which the action is proposed along with the manner in which interested persons may obtain copies and present their views, was also provided on Ecology's website². All interested parties were invited to provide comment on the proposed update during this public comment period. No public hearing was held during the state comment period. Thirteen (13) comment letters were received from individuals, industry, tribal governments, state and federal agencies, and non-governmental organizations.

Consistent with WAC 173-26-120 Ecology provided a comment summary to the County on April 10, 2019. This comment summary matrix organizes the thirteen comment letters into 132 individual comments listed by topic based on the pertinent SMP chapter/section in numerical order. On June 4, 2019 the County submitted its responses to the issues raised during the state comment period.

Ecology review timeline

Comprehensively updated County SMPs are generally very complex and address multiple uses and activities. For a variety of reasons, Clallam County's local SMP adoption was delayed past the original due date. The County's final adoption coincided with the receipt of documents related to numerous efforts by other local governments operating under SMP periodic review grant deadlines. This left Ecology with limited staff capacity to complete the final steps in the approval process in a timely manner. Ecology's decision was further delayed in order to explore options with the County in an effort to reach resolution on proposed changes. Ecology collaborated with the county to reach mutual understanding about legally defensible alternatives to locally adopted provisions that Ecology could incorporate into final required and recommended changes.

The timeline below outlines the progress and challenges during the state review process.

Between June and December 2019, Ecology completed initial review of the locally adopted SMP and drafted preliminary required and recommended changes. In January 2020 Ecology staff requested and attended a meeting with Washington Department of Fish and Wildlife (WDFW) to discuss issues around riparian buffers, specifically on Lake Sutherland. This meeting was intended to improve Ecology's understanding and provide WDFW an opportunity to clarify the concerns outlined in their comment letter. This resulted in an additional comment letter submitted to Ecology on April 17, 2020.

Ecology believes in its partnership with local government and as part of this, is committed to avoiding surprises when proposing changes to locally adopted SMPs. In this spirit, initial changes were compiled into discussion drafts of required and recommended changes and sent to the County for their review on April 20, 2020. County and Ecology staff met to discuss these changes on June 18, 2020. Discussions identified specific issues that County and Ecology staff understood would take some time to resolve. These issues included the addition of Ocean Resources Management Act (ORMA) regulations and inclusion of companion state Marine Spatial Plan (MSP) provisions, addressing

² <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Status-of-local-Shoreline-Master-Programs-SMP/Clallam-County>

WDFW concerns with the shoreline buffers on Lake Sutherland, and the need for the County to compile a full updated list of shoreline waterbodies for inclusion in the SMP. Subsequent coordination meetings occurred with County staff July – October 2020.

These continued discussions resulted in agreed upon ORMA and MSP provisions as addressed in Attachment B items #2, 4, 17-20 and Attachment C item #4. The County also agreed to compile a list of shoreline waterbodies to be included as part of the SMP, see Attachment B item #27.

On October 26, 2020 Ecology received a technical memorandum³ from the County prepared by ESA intended to address and propose resolution to Lake Sutherland buffer standard issue identified by WDFW. Receipt of this memo was followed by further coordination with WDFW and the County through December 2020, which resulted in agreed upon required changes found in Attachment B Item #8.

One additional Ecology review consideration was related to the County's requirement to complete their SMP Periodic Review per RCW 90.58.080(4). Ecology was under the initial understanding that the County intended to combine this effort with the already locally adopted comprehensively updated SMP during the County's review and acceptance of this Conditional Approval action. However, the County decided they would prefer to complete the comprehensive update through this conditional approval process prior to embarking on the local public engagement and action process steps necessary to complete the SMP periodic review. Ecology completed our review and consistency determination based upon all current statutory and rule requirements, which includes all those listed on the periodic review checklist updated through June 2020. We anticipate that the County may finalize their SMP periodic review with a "finding of adequacy" determination later this year.

Summary of Issues Raised During the Ecology Public Comment Period

The Responsiveness Summary (**Attachment D**) includes a summary of the comments received and Clallam County's responses to SMP topics raised in the comments pursuant to WAC 173-26-120(6). Ecology considered these comments during the state review process. Additional Ecology review considerations are reflected in this section, the discussion and rationale of Attachments B and C and in the section below titled "Summary of Issues Relevant to Ecology's Decision."

Many of the commenters provided supportive statements and acknowledged that the proposed SMP represents a significant improvement over the existing SMP. A general list of topics and concerns raised during the state comment period includes: Aquaculture; Archaeological, Cultural, and Historic Resources; Clearing, Grading & Filling; Climate Change; Critical Areas (aquifers, fish & wildlife habitat, frequently flooded areas, geological hazards, and wetlands); Flood Hazard Management; Hydroelectric Dams; Mining; Mitigation; No Net Loss; Public Access; Shoreline Buffers & Vegetation Conservation; Shoreline Environment Designations & Mapping; Shoreline Stabilization; Tribal Treaty Rights; Water Quality; and the SMP Technical Supporting Documents: Inventory & Characterization Report; Restoration Plan; and Cumulative Impacts Analysis & NNL Report.

Additional discussion is provided below on a subset of topics raised during the state comment period:

³ *Clallam County 2020 Shoreline Master Program Update – Review of Lake Sutherland Proposed Buffer Technical Memorandum* dated October 23, 2021.

CRITICAL AREAS:

Commenters express concerns with the County's geologically hazardous area provisions asserting that the current provisions are not adequate for protecting people, property and ecological functions adjacent to steep slopes, landslide hazard areas, and channel migration zones (CMZ). Comments suggest the County's provisions on riparian buffers should be updated consistent with the recent information published by Washington Department of Fish and Wildlife (WDFW) on management recommendations for riparian ecosystems⁴. The comments recommend 137-foot riparian buffers based on the 200-year Site Potential Tree Height (SPTH), a minimum 200-foot buffer for all water bodies designated as critical habitat for ESA listed species, and a minimum 150-foot buffer for all other streams. Commenters further recommended that the buffer be measured from the edge of the channel, channel migration zone or active floodplain, whichever is wider.

No changes to the SMP are proposed by the County or Ecology. Ecology finds the County considered these comments and adequately responded with applicable SMP provisions. Ecology review shows the SMP 6.3 General Regulations for Shoreline Buffer and Vegetation, including Table 6-1 standard buffer widths and Table 6-2 critical area buffers, 6.4 buffer averaging, and 6.7 common line buffer, are largely consistent with the current science & technical information. Ecology has identified a required revision to Lake Sutherland Buffer to ensure adequate mitigation when locating closer than the standard buffer and to ensure NNL. See Attachment B Item #8. Consistent with the regulations noted above, Ecology finds that the County provides a 150-foot or greater buffer for the majority of the County's shorelines. A buffer of 100 to 125 feet is available for single-family residential and low intensity uses classified as minor new development within the Shoreline Residential-Conservancy SED. With the exception of approximately 4% of the County's shorelines that are designated Shoreline Residential-Intensive and Marine Waterfront, which allow for buffers between 50 and 100 feet. Ecology review shows the SMP 6.3 Table 6-1 shoreline buffers, Table 6-2 critical area buffers, and related buffer and vegetation conservation provisions reflect current science & technical information and local conditions providing appropriate, locally-tailored provisions to protect both people & property and shoreline ecological functions along freshwater shorelines.

Ecology also notes, the County opted to extend shoreline jurisdiction to the full extent of the 100-year floodplain, however, it's possible a CMZ could extend beyond that and the SMP cannot regulate outside of jurisdiction. Ecology finds the Clallam County SMP⁵ relies on the effective FEMA maps to identify the extent of the 100-year floodplain and the floodway. At such time as these maps change, there may be a need to revise the SMP mapping.

SMP 7.14 Regulations for Geological Hazard Protection Standards identify current mapping and establish a locally-tailored three-tiered approach to determining if a proposed use/development will be located in a CMZ, relying on site-specific assessment and delineation to determine any needed buffer rather than an overall prescriptive approach. Additionally, Ecology finds that the SMP established standard marine bluff buffer widths of 150-feet (exceptional feeder bluffs), 100-feet (other feeder bluffs), and 50-feet (non-feeder bluffs). Buffers may be required to be larger based on site specific conditions, findings and recommendations of a geotechnical report (see SMP Sections 7.13.7 and

⁴ These referenced documents include two volumes focused on riparian ecosystems science and management. Volume 1 synthesizes the science and management implications, and Volume 2 provides Management Recommendations.

⁵ The SMP utilizes the FEMA maps for determining floodplain and floodway areas and applicable protection standards under SMP Sections 7.15 and 7.16.

7.14.7). Ecology finds the County's geologically hazardous areas standards are consistent with WAC 173-26-231 (3)(c)).

CLIMATE CHANGE

A number of comments focus on the issue of climate change including related concerns around riparian buffers, geological hazards, and sea level rise and wildfire risks. Commenters express concern about existing environmental degradation and the potential for climate change to compound or amplify the impacts of shoreline uses and developments. Commenters request the County address the risks to the environment, property and human health and safety, by adding policy language, to provide more meaningful consideration of climate change. The comments suggest that this could include increased buffers and setbacks or through technical report requirements.

No additional changes were proposed by the County or Ecology. Ecology finds the County has considered the comments related to climate change, sea level rise and wildfire risk and has chosen not to include additional policies and regulations at this time. The County found that "considering standards to utilize sea level rise projections for regulating location and type of building location in addition to FEMA floodplain maps will require a comprehensive approach and public process that is beyond the scope of the current SMP update effort⁶." The County's further response indicates the County intends to continue its involvement in climate change discussions.

Ecology finds that the SMP does include the following direct and indirect policies and regulations related to climate change:

- *SMP Goals 1.5 set forth goals to inform and increase public awareness of sea level rise projections.*
- *SMP Update Vision (Section 1.4);*
- *SED Policies [Sections 2.5.3(h), 2.6.3(h), 2.7.3(f), 2.8.3.(g)];*
- *Residential Regulation 3.8.2.7;*
- *Restoration Policy 3.9.1.6;*
- *Transportation Policy 3.11.1.8;*
- *Shoreline Stabilization Regulation 4.6.2.14 projects take into account sea level rise and storm surge;*
- *Shoreline Buffer Policies 6.2.1 & 6.2.4; and*
- *Critical Area Policy 7.2.2(f).*

Ecology agrees climate change and related effects are important topics. The agency is actively engaged at the statewide level in work being done on climate change and sea level rise. The Shoreline Management Act (SMA) and the Shoreline Master Program (SMP) Guidelines contain no requirements for SMPs to address climate change or sea level rise. However, they require local jurisdictions to take into account scientific and technical information pertinent to shoreline management issues. The Guidelines require local governments use "the most current, accurate and complete scientific and technical information available" [WAC 173-26-201(2)(a)]. The Guidelines also encourage local governments to consult Ecology's guidance for applicable new information on emerging topics such as sea level rise [WAC 173-26-090(1)].⁷

Ecology finds addressing these topics within the community, and more specifically in a local SMP, is currently left to the discretion of each city and county. Nonetheless, Ecology is seeing increased

⁶ See Attachment D, item# 59 Clallam County Response and Rationale.

⁷ See SMP Handbook Appendix A <https://apps.ecology.wa.gov/publications/parts/1106010part19.pdf>

interest in discussing these issues. Some communities have chosen to address these issues through other regulatory mechanisms including their zoning code. In most cases, the addition of sea level rise policies and regulations to a master program are a result of a community-wide effort, considering the entire geography of the place, and not limited to the comparatively narrow shoreline jurisdictional area. This comprehensive approach has led to more fully integrated responses to these risks within and outside of shoreline jurisdiction in those communities. Ecology supports local communities' comprehensive planning for climate change adaptation recognizing that the SMP is not the only and may not be the best regulatory tool for such.

TRIBAL TREATY RIGHTS

Comments received from the Jamestown S'Klallam Tribe, Quileute Indian Tribe, and the Makah Tribal Council, express concerns related to the SMP impacting treaty-reserved resources and the habitats they depend on, with regard to buffers, no net loss, and mitigation. Other comments were focused on the potential for the SMP to impact Tribal culture, and treaty-reserved rights to fish, hunt, and gather in the County and adjacent waters for tribal economic, subsistence and cultural purposes.

The County proposed no changes at this time, but adds that a number of the Quileute Tribes recommendations were incorporated into the SMP during the local adoption process. In its response, the County expresses its appreciation for the Tribal interests and rights. Ecology review identified Policy 3.2.1(6) and Regulation 3.2.2 both considering treaty fisheries resources and requiring necessary mitigation for impacts to navigation, water quality, sediment quality, benthic & pelagic organisms, wild fish populations, critical saltwater & freshwater habitat, Treaty fisheries resources, water-dependent uses and normal public use of surface waters. Ecology also finds SMP Section 1.7 correctly identifies that this SMP does not apply to: lands held in trust by the U.S. for Indian Nations, Tribes, or individuals; and the exercise of treaty rights per RCW 90.58.350.

AQUACULTURE

Comments related to aquaculture were received from Friends of the Earth, Cooke Aquaculture, Taylor Shellfish, Futurewise et. al., the Quileute Tribe, the Makah Tribe, and one individual. The majority of comments were supportive of the prohibition of commercial net pen operations for non-native finfish. Some comments request retention of, or expansion of, the County's proposed prohibition on non-native finfish (including net pen) aquaculture. Cooke Aquaculture voiced opposition to this same prohibition. Taylor Shellfish requested text edits to two regulations found within Section 3.2.2.

The County response includes reference to the fact that the SMP supports and allows for marine aquaculture consistent with the policies, regulations, application, and permitting requirements applicable to the type and location of aquaculture use. In-water, marine aquaculture is supported as a permitted or conditional use in the Aquatic SED. Only in-water, non-native finfish (including net pens) is prohibited. (SMP Table 2-2 and Section 3.2). The County also acknowledges that if state laws change in regards to authorization of non-native marine finfish aquaculture in Washington State waters, the County would need to review its SMP, at that time.

Ecology review shows the aquaculture allowances are consistent with WAC 173-26-241(3)(b) and other state requirements to recognize this preferred, water-dependent use of statewide interest when appropriately sited, and with the WA Legislature's and Governor Inslee's HB2957 that phases out Atlantic salmon net pens by 2022 and prohibits new commercial aquaculture operations from raising non-native finfish in state waters.

The County supported the text edits proposed by Taylor Shellfish in its formal response to comments (Attachment D). Ecology consulted with the County and incorporated the County's proposed edits in response to the comments into Ecology's recommended changes (Attachment C Items #14&15).

NO NET LOSS:

In addition to the issues included in the above Critical Areas, Climate Change, and Aquaculture sections, commenters expressed the following concerns that buffer widths do not achieve site potential tree height (SPTH) and no net loss (NNL); all uses and developments inside and outside the established buffers shall require compensatory mitigation; and the NNL standard is not sufficient to protect species and improve degraded existing conditions. Additional comments raised questions about how voluntary restoration efforts may be used to offset unmitigated development impacts and about the effectiveness of the County's SMP implementation.

The County response correctly points to the SMP framework as its means to achieve planning level no net loss, stating in part:

The SMP in all its parts from SEDs, policies, and regulations (e.g., use regulations, buffers, etc...), mitigation and NNL requirements, and permitting provisions combined with supporting documents (e.g., shoreline inventory and characterization report, shoreline restoration plan) is designed to help achieve NNL of shoreline ecological functions over- time as new shoreline uses and development occur. (Attachment D Item #20).

The SMA requirement to use the most current, accurate science and technical info does not mean there is any single correct source. The range of information must be considered within the context of the local conditions. Ecology finds that the County considered the most current, accurate science and technical information. Our SMP Handbook Chapter 11 Vegetation Conservation, Buffers & Setbacks includes a Buffer Science Summary graphic at Figure 11-6 that shows scientific sources recommend a range of buffer distances from 15-feet to over 400-feet for specific parameters of shoreline functions and processes. This guidance also notes that "Scientific studies typically include observations of undisturbed areas" and discusses the importance of considering the range of buffer widths in the context of local shoreline conditions and the potential risk of anticipated future development and impacts. We agree that uniform buffer widths are not practical across the landscape, given the range of conditions and need to accommodate preferred uses. The SMP appears to effectively rely on the ICR to establish Shoreline Environment Designations (SEDs) that determine allowed uses (Tables 2-1 and 2-2) and establish shoreline buffer widths (Table 6-1).

These riparian buffer provisions were locally adopted after extensive public review and comment, supported by technical reviews and the Shoreline Inventory and Characterization Report. WDFW provides its recommendation through the lens of its agency mandate. For the purpose of utilizing published WDFW Riparian Management Recommendations within SMPs, local governments must weigh many considerations in balancing the policy of the SMA. To that end, the County's SMP includes appropriate use allowances and restrictions, stream buffers, vegetation management standards, and the requirement for projects to demonstrate mitigation sequencing. As a package, the SMP provides for ecological protection and requires appropriate mitigation to achieve no net loss of shoreline ecological functions, while prioritizing water-oriented uses and increasing public access in the public interest.

Ecology finds the SMP to be consistent with the requirements of the SMP Guidelines in ensuring protection of shoreline ecological resources and ensuring no net loss of ecological functions while also fostering appropriate water-oriented uses and protecting private property rights⁸. Ecology finds that the County's approach to protecting riparian buffers achieves no net loss of shoreline ecological function consistent with the SMA and Guidelines. Ecology review shows the SMP, including Chapter 6 shoreline buffers, Chapter 7 critical area buffers, and Chapter 8 Mitigation & NNL provisions, is consistent with state requirements, given the required changes to SMP 6.3 and 7.6 presented in Attachment B.

The County contends that the SMP requires mitigation sequencing be applied to new uses and development to ensure NNL and that the implementation of the Restoration Plan for voluntary restoration is a separate action that should result in ecological benefit or lift. Ecology finds that voluntary restoration efforts are not relied upon to mitigate for the impacts of new uses or development. Ecology review shows the CIA-NNL Report provides an adequate examination of anticipated development and potential effects to shoreline ecological functions consistent with WAC 173-26-201(3)(d)(iii).

Ecology finds additional regulatory language is unnecessary for ensuring avoidance and minimization. This is more properly addressed during County implementation of the SMP, ensuring applicants clearly document how impacts will be avoided and minimized, identifying appropriate permit conditions, and following through to ensure the proposed project is built consistent with the issued permits. State agencies, including Ecology and the Department of Commerce, are working with local governments to identify how to assess effectiveness in the project review and permitting process, as well as in the on-the-ground results, including mitigation monitoring. To that end, the County has a shoreline monitoring and adaptive management program that includes a mechanism for documenting all project actions necessary for a permit feedback loop and evaluation as part of a monitoring and adaptive management program⁹. Ecology finds that the County's effectiveness monitoring efforts are consistent with the requirements of WAC 173-26-191(2)(iii)(D).

CONCLUSION

Ecology appreciates the level of interest and effort put forth by all commenters in this SMP update. As noted in Attachment D and confirmed by the SMP record, the County considered comments throughout the local adoption process and in some cases made modifications to earlier drafts of the SMP to address issues identified.

Ecology has reviewed the comments received along with the County's responses. Ecology finds the County's responses are consistent with the statutory and rule obligations. Ecology finds the County considered whether to incorporate any amendments to address issues raised during the comment period. Issues raised during the state comment period resulted in one required change (Attachment B Item #8) and eight recommended changes (Attachment C Items #14, 15, 24, 26 & 35-38).

⁸ The SMP Guidelines require the SMP to address environmental protection, accommodate preferred shoreline uses, and "protect the public interest associated with the shorelines of the state while, at the same time, recognizing and protecting private property rights consistent with the public interest" (RCW 90.59.020).

⁹ As explained within the CIA and noted elsewhere in this document, the County created a Shoreline Checklist & Statement of Exemption Form for use as a permit application and review tool for demonstrating project consistency with the SMP policies and regulations (Appendix A to the CIA).

The County determined, and Ecology concurs, that no additional amendments are warranted at this time based upon the significance of this information and the existing SMP provisions¹⁰.

Summary of Issues Identified by Ecology as Relevant to Its Decision

Ecology respects the County process and recognizes that development of an SMP, and implementation of the SMA is a cooperative program with our local government partners. During the course of the Clallam County effort, Ecology acted in a supportive and review capacity by providing grant funds, attending numerous meetings during development of technical documents and draft policies and regulations, and providing technical assistance throughout, including comments on numerous drafts of the SMP. The County locally adopted their comprehensively updated SMP by Resolution 91-2018 on October 30, 2018, Ecology's final review and approval process included consideration of recent statutory and rule changes (Periodic Review checklist items) as well as requirements for consistency with the state's Marine Spatial Plan (MSP), adopted in 2018.

Ecology is required to review all SMPs to ensure consistency with the SMA and implementing rules including WAC 173-26, State Master Program Approval/Amendment Procedures and Master Program Guidelines.¹¹ WAC 173-26-186(11) specifies that Ecology "shall insure that the state's interest in shorelines is protected, including compliance with the policy and provisions of RCW 90.58.020."

Based on review of the locally adopted SMP for consistency with applicable SMP Guidelines requirements and the SMA, and consideration of supporting materials in the record submitted by the County, the following topics remain relevant to Ecology's final decision on the comprehensive update to the Clallam County SMP:

- Administrative Interpretations – ensure local process includes required consultation with Ecology;
- Clearing, Grading & Filling – ensure regulations are consistent with requirements for the location, design & construction of fill activities;
- Critical Areas – ensure allowed wetland activities are appropriately limited and adequately mitigated to ensure 'no net loss'; ensure internal consistency for terrestrial habitat conservation area terms & provisions;
- Definitions – ensure consistency with terms established by statute & WAC, and internal consistency with terms as used in the SMP;
- List of Jurisdictional Waterbodies – ensure a list is included consistent with WAC requirements.
- Ocean Management – include provisions to adequately manage ocean uses as required by statute and adopted plans;
- Parking – clarify the distinction between parking as a primary use and parking accessory to public access;
- Permit Revisions – ensure limitations are consistent with WAC requirements;
- Preferred & Other Priority Uses – clarify the distinction between preferred water-oriented uses and other priority uses such as residential;

¹⁰ WAC 173-26-090(3)(b)(iii)

¹¹ RCW 90.58.050

- Public Access – ensure multi-family residential use and non-residential dock & pier standards are consistent with public access requirements;
- Shoreline Buffers – ensure buffer reduction allowances are appropriately limited and adequately mitigated to ensure ‘no net loss’;
- Shoreline Environment Designations – clarify the intersect between Aquatic SED and management of ocean uses;

The specific issues, proposed changes, and Ecology’s rationale are detailed with 27 items identified in **Attachment B** and some of the key issues are briefly described below:

CRITICAL AREA REGULATIONS

As required by the Growth Management Act (RCW 36.70A.480(3)(d)), upon Ecology approval of an updated shoreline master program, “critical areas within shorelines of the state are protected under chapter 90.58 RCW and are not subject to the procedural and substantive requirements of this chapter...”.¹² This requirement means critical area reviews for activities in shoreline jurisdiction occur within the context of the SMP permitting procedures. The SMP addresses critical areas in Chapter 7. Ecology has identified needed changes to the provisions for Wetlands and for Class I & II Terrestrial Habitat Conservation Areas to ensure the SMP and associated critical area provisions are implemented consistent with the requirements of the Act. These changes remove conflicting language and add clarifying provisions. (**Attachment B**, Items 9 & 10):

- 7.6 Wetland Protection Standards – For consistency with WAC 173-26-221(2)(c)(i)(A) and the most current scientific & technical information, provisions allowing impacts to wetlands based on category must be deleted. Replacement provisions are proposed to identify regulated activities, ensure all wetlands in shoreline jurisdiction are protected and mitigation sequencing requirements are met.
- 7.10 Class I & II Terrestrial Habitat Conservation Areas – For internal consistency with the construct and definitions of the SMP, the inclusion of critical saltwater habitat must be deleted as a type of terrestrial habitat.

OCEAN MANAGEMENT

As required by the SMP Guidelines at WAC 173-26-360, local SMPs for affected coastal communities must include ocean uses policies, regulations, and approval criteria consistent with the Ocean Resources Management Act (‘ORMA’; RCW 43.143). And as separate but related, the Marine Waters Planning & Management law (RCW 43.372) requires SMPs to be consistent with the state’s Marine Spatial Plan (MSP), adopted in 2018. While the County’s locally-adopted SMP included some placeholder provisions regarding ORMA and the MSP at 1.4 SMP Update Vision and 2.3 Aquatic SED Management Policy #3.i, the SMP needs a more robust and complete approach to meeting the ORMA and MSP requirements for consistency with statute and rule. Ecology has identified needed changes to the provisions at SMP 1.4 and 2.3, and provides recently prepared draft ORMA & MSP checklist and guidance materials intended to aid local governments, and extensive example language, including definitions. (**Attachment B**, Items 2, 4, 17-20 and Exhibit 1)

Because ORMA was enacted in 1989 the County must meet those requirements as part of the SMP comprehensive update, however the MSP was adopted almost concurrently with the

¹² See also RCW 90.58.610

County's SMP local approval so those requirements would need to be met, at minimum, as part of the required SMP periodic review. While the County is opting to first complete its comprehensive update prior to conducting a separate, subsequent periodic review, consultation with County staff guides our proposed approach to add both ORMA and MSP provisions now as part of the comprehensive update. The intent is that this approach should leave no further ORMA/MSP changes needed at the periodic review phase.

SHORELINE BUFFERS

The SMP Guidelines require local SMPs to protect and ensure no net loss of shoreline ecological functions (WAC 173-26-186(8)(b) and -201(2)(c)), to provide regulations that are of sufficient scope and detail to implement the SMA and SMP policies (WAC 173-26-191(2)(a)(ii)(A)), and establish a system of shoreline environment designations based on current conditions and other factors (WAC 173-26- 211).

SMP Chapter 6 establishes general shoreline buffer and vegetation conservation policies and regulations based on the type of development (minor or major), size of the lot, and the shoreline environment designation (SED), including minimum standards for retaining or enhancing buffer vegetation. The overall strategy reflects the findings of the Inventory & Characterization, meets the WAC requirements, and allows minor buffer reduction in limited situations based on site-specific criteria. Table 6-1 identifies standard shoreline buffers widths ranging from 50-feet to 175-feet, SMP 6.4 allows a reduced width by buffer averaging not to exceed 25% reduction, and SMP 6.7 allows a reduced width by the common line buffer approach for single family residential view protection.

SMP 6.3 Regulation #6 establishes a reduced 35-foot buffer for residential structures at Lake Sutherland and Table 6-1 notes a reduced 35-foot buffer width for all new use & development at Lake Sutherland regardless of lot size or SED; no additional mitigation requirements are described for this buffer width reduction to offset the impacts of locating development within the standard shoreline buffer. As proposed, these provisions are internally inconsistent as to which structures and locations are eligible, and the allowed buffer reduction without additional mitigation is inconsistent with the no net loss standard. Concerns expressed by WDFW noted the importance of ensuring adequate protection for in-water and riparian habitat that supports anadromous fish species, anticipated to soon have greater access to the lake upon the pending removal/replacement of a barrier culvert at the downstream outflow of the lake.

As part of our review & consideration of this issue, Ecology met with WDFW staff in January 2020 to better understand their concerns and to share information on SMA and WAC requirements. In April 2020 WDFW staff provided some follow-up clarifications & technical details to assist our review. In November 2020 Ecology shared a draft of the proposed revisions with WDFW and followed-up with email and virtual check-ins as we collaborated with the County to refine the draft language.

Ecology has identified needed changes to the provisions at SMP 6.3 and Table 6-1 to ensure consistency with WAC 173-26, to clarify the limitations and criteria for a reduced buffer width at Lake Sutherland, and for internal consistency. (**Attachment B**, Item #8)

ADDITIONAL RECOMMENDED CHANGES

In addition to the required changes noted above, we have also identified a number of recommended changes intended to improve document clarity and aid implementation. A general list of the variety of minor issues addressed includes: minimize duplicative text; correction of typos/clerical errors; clarifications for accuracy & internal consistency; accurate phrasing to reflect the final status of an adopted SMP; use of the SMA phrase for current science and technical information rather than the GMA term for best available science; clarification of language regarding ORMA and the MSP; accurate use of the separate terms for various water-oriented use and development; clarification of activities not required for local review & permits or excepted from SMA authority; accurate description of the three periodic review categories; clarification of SED criteria for improved WAC consistency; added language to provide better context for allowing experimental aquaculture; correction/clarification for the definitions and use of separate but related terms ‘appurtenant’ and ‘accessory’; clarification of permit tracking and compliance monitoring; added language that recognizes/defers to definitions established by statute and rule.

These recommended changes were prepared in collaboration with County staff, and are further described as 39 items identified within **Attachment C**.

CONCLUSIONS OF LAW

After review by Ecology of the complete record submitted and all comments received, Ecology concludes that the County’s comprehensive SMP update proposal, subject to and including Ecology’s required changes (itemized in **Attachment B**), is consistent with the policy and standards of RCW 90.58.020, RCW 90.58.090, RCW 36.70A.480 and the applicable SMP guidelines (WAC 173-26-171 through 251) as well as the definitions in WAC 173-26-020 and WAC 173-27. This includes a conclusion that the proposed SMP, subject to required changes, contains sufficient policies and regulations to assure that no net loss of shoreline ecological functions will result from implementation of the new updated master program, per the standards of WAC 173-26-201(2)(c).

Ecology also concludes that a separate set of recommended changes to the submittal (identified during the review process and itemized in **Attachment C**) would be consistent with SMA policy and the guidelines and would be beneficial to SMP implementation. These changes are not required but can, if accepted by the County, be included in Ecology’s approved SMP amendment.

As stipulated in RCW 90.58.610, RCW 36.70A.480 governs the relationship between shoreline master programs and development regulations to protect critical areas that are adopted under chapter 36.70A RCW. Consistent with RCW 36.70A.480(4), Ecology concludes that, subject to and including Ecology’s required changes, the SMP provides a level of protection to critical areas located within shorelines of the state that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources.

Ecology concludes that the County has chosen to exercise its option pursuant to RCW 90.58.030(2)(d)(i) or (ii) to increase shoreline jurisdiction to include both i) the full extent of the 100-year floodplain; and ii) buffers for critical areas located within shorelines of the state. Therefore, as required by RCW 36.70A.480(6), for those designated critical areas with buffers that extend beyond minimum SMA jurisdiction the buffer shall be regulated by the SMP.

Ecology concludes those SMP segments relating to shorelines of statewide significance provide for the optimum implementation of Shoreline Management Act policy - RCW 90.58.090(5).

Ecology concludes that the County complied with the requirements of RCW 90.58.100 regarding the SMP amendment process and contents.

Ecology concludes that the County has complied with the requirements of RCW 90.58.130 and WAC 173-26-090 regarding public and agency involvement in the SMP update process.

Ecology concludes that the County has complied with the purpose and intent of the local update process requirements contained in WAC 173-26-100, including conducting open houses and public hearings, notice, consultation with parties of interest and solicitation of comments from tribes, government agencies and Ecology.

Ecology concludes that the County has complied with requirements of Chapter 43.21C RCW, the State Environmental Policy Act.

Ecology concludes that the County's comprehensive SMP update submittal to Ecology was complete pursuant to the requirements of WAC 173-26-110 and WAC 173-26-201(3)(a) and (h) requiring an SMP Submittal Checklist.

Ecology concludes that it has complied with the procedural requirements for state review and approval of shoreline master program amendments as set forth in RCW 90.58.090 and WAC 173-26-120.

Ecology concludes the County's final legislative action will serve to complete the comprehensive SMP update required by RCW 90.58.080(2).

DECISION AND EFFECTIVE DATE

Based on the preceding, Ecology has determined the proposed amendments comprehensively updating the SMP are consistent with the policy of the Shoreline Management Act, the applicable Guidelines and implementing rules, once the required changes set forth in **Attachment B** are accepted by the County. The County may choose to adopt the recommended changes in **Attachment C**. Pursuant to RCW 90.58.090(2)(e), the County must notify Ecology of the approval or denial of the recommended changes. Ecology approval of the proposed amendment with required changes is effective 14 days from Ecology's final action approving the amendment.

As provided in RCW 90.58.090(2)(e)(ii) the County may choose to submit an alternative to all or part of the changes required by Ecology. If Ecology determines that the alternative proposal is consistent with the purpose and intent of Ecology's original changes and with RCW 90.58, then the department shall approve the alternative proposal and that action shall be the final action.

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION No.91-2018)

The following changes are required to ensure compliance with the SMA (RCW 90.58) and the SMP Guidelines (WAC 173-26, Part III) and to clarify provisions for implementation:

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	ECOLOGY DISCUSSION/RATIONALE
1.	1.5 SMP Goals	5. To accommodate and give priority <u>preference</u> to water-dependent uses such as aquaculture and preferred priority uses such as single-family residential uses when they are consistent with the goal of preserving shoreline ecological functions and processes, in accordance with the policy enunciated in RCW 90.58.020 and WAC 173-26-201(2)(d).	Consistent with WAC 173-26-241(3.j), single family residential use may be considered a <i>priority</i> when pollution and damage are avoided. This priority is separate, and different from, the required order of use <i>preference</i> established by WAC 173-26-201(2.d) where single family residential use is recognized well after ecological functions, water-oriented and mixed use activities. As written, the goal statement is incorrect in referring to single-family residential use as preferred, and inconsistent with rule requirements. Ecology requires text revisions for accuracy and clarity.
2.	2.3 Aquatic Designation	3. Management Policies i. New uses and development in marine waters <u>of the Pacific Ocean</u> should be evaluated for consistency with Chapter 43.372 RCW, Marine Waters Planning and Management, <u>the Marine Spatial Plan for Washington's Pacific Coast (2018 or as revised)</u> , and Chapter 43.143 RCW, Ocean Resources Management Act.	As written, the SMP does not address the requirements of WAC 173-26-360 for implementation of the Ocean Resources Management Act (ORMA; RCW 43.143). The applicability of this provision needs to be clarified to include both shoreline development and activities considered as "new use & development" by the MSP to ensure proper implementation. Ecology requires text revisions for consistency with ORMA and the 2018 MSP, and for internal consistency and improved clarity. See also related edits to SMP 3.13 and Chapter 11 Definitions below; and Attachment C Recommended Changes to SMP 1.4.

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE																																																
3.	3.6.2 Parking - Regulations	2. Parking as a primary use shall be prohibited in all shoreline designations, except that within the Marine Waterfront designation of the Clallam Bay Sekiu Urban Growth Area new parking facilities as a primary use that support shoreline public access may be permitted thru a shoreline conditional use permit due to existing significant limitations and environmental constraints on public parking areas in this waterfront community. 4. Parking facilities to accommodate public disabled parking shall be a conditional use in shorelines designated <u>Resource Conservancy and</u> Natural.	2. Consistent with WAC 173-26-241(3.k), parking that supports shoreline public access is accessory parking, not a primary use. Accessory parking is allowed in the Marine Waterfront SED per Table 2-2. 4. Internal inconsistencies between Table 2-2 and this provision regarding disabled parking in Resource Conservancy. <table><tr><td colspan="8">P = Permitted, if it complies with the standards in Chapter 3 and Chapter 4 (via a Shoreline Substantial Development Permit or a Statement of Exemption if it is exempt per WAC 173-27-040; X = Prohibited; C = Conditional Use. See permit criteria in Chapter 10.</td></tr><tr><th>Use/Development/Modification</th><th>Aquatic - Straits¹</th><th>Aquatic - Pacific Ocean¹</th><th>Marine Waterfront</th><th>Shoreline Residential - Intensive</th><th>Shoreline Residential - Conservancy</th><th>Resource Conservancy</th><th>Natural</th></tr><tr><td>Parking: (see Section 3.6)</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>As a primary use</td><td>X</td><td>X</td><td>X/C¹¹</td><td>X</td><td>X</td><td>X</td><td>X</td></tr><tr><td>Accessory to a permitted use</td><td>X</td><td>X</td><td>P</td><td>P</td><td>C</td><td>C</td><td>X</td></tr><tr><td>Public disabled parking</td><td>X</td><td>X</td><td>P</td><td>P</td><td>P</td><td>C</td><td>C</td></tr></table>	P = Permitted, if it complies with the standards in Chapter 3 and Chapter 4 (via a Shoreline Substantial Development Permit or a Statement of Exemption if it is exempt per WAC 173-27-040; X = Prohibited; C = Conditional Use. See permit criteria in Chapter 10.								Use/Development/Modification	Aquatic - Straits ¹	Aquatic - Pacific Ocean ¹	Marine Waterfront	Shoreline Residential - Intensive	Shoreline Residential - Conservancy	Resource Conservancy	Natural	Parking: (see Section 3.6)								As a primary use	X	X	X/C ¹¹	X	X	X	X	Accessory to a permitted use	X	X	P	P	C	C	X	Public disabled parking	X	X	P	P	P	C	C
P = Permitted, if it complies with the standards in Chapter 3 and Chapter 4 (via a Shoreline Substantial Development Permit or a Statement of Exemption if it is exempt per WAC 173-27-040; X = Prohibited; C = Conditional Use. See permit criteria in Chapter 10.																																																			
Use/Development/Modification	Aquatic - Straits ¹	Aquatic - Pacific Ocean ¹	Marine Waterfront	Shoreline Residential - Intensive	Shoreline Residential - Conservancy	Resource Conservancy	Natural																																												
Parking: (see Section 3.6)																																																			
As a primary use	X	X	X/C ¹¹	X	X	X	X																																												
Accessory to a permitted use	X	X	P	P	C	C	X																																												
Public disabled parking	X	X	P	P	P	C	C																																												
4.	<u>3.13 Ocean Management</u>	<u>3.13 Ocean Management ...</u> [The proposed language is lengthy and therefore presented separately in Exhibit 1 to this Attachment]	As proposed, the SMP includes a vision statement and management policies that mention the 2018 Marine Spatial Plan (MSP) but is lacking specific provisions to implement both the Ocean Resources Management Act (ORMA; RCW 43.143) and the MSP. Ecology requires revision for consistency with WAC 173-26-360 and ORMA; the SMP needs additional provisions to address ocean use definitions, permit criteria, and policies & regulations for general and specific ocean uses. In consultation with County staff, Ecology revisions are suggested here as a new Section 3.13, to include the proposed language of the attached Exhibit 1 that is based on our pending new guidance about approaches to incorporating both ORMA and MSP requirements into local SMPs.																																																

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [<u>underline</u> = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
			See also related items for SMP 2.3 above and for Chapter 11 Definitions below; and see related item in Attachment C Recommended Changes for SMP 1.4.
5.	4.2.4 Regulations – Piers, Docks, Floats, Non-residential	1. Docks, piers, and floats associated with commercial, industrial, port, or public or private recreational developments may be permitted in all environment designations through a substantial development permit or conditional use permit as indicated in Section 2.9, Table 2-2 when they are consistent with this Program and when the proponent demonstrates that: a. The dock/pier/float is required to accommodate a water-dependent use <u>or public access</u>; and b. The dock/pier/float and designed to avoid or, if that is not possible, to minimize the impacts to nearshore habitats and processes.	WAC 173-26-231(3.b) Piers and docks. New piers and docks shall be allowed only for water-dependent uses or public access.
6.	5.2.2 Clearing, Grading, Filling –	Regulations 2. When allowed, clearing, and/or grading, <u>and filling</u> shall be located, designed, and carried out <u>constructed</u> in a manner that: a. Minimizes land disturbance to the minimum necessary for the intended development; and b. Utilizes mulch, vegetation, or other best management practices to minimize erosion from exposed soils during construction; and c. Includes plans to revegetate or otherwise stabilize areas of exposed soil following construction; and d. Blends in physically and visually with natural topography, so as not to interfere with appropriate use, impede public access, or degrade the aesthetic qualities of the shoreline; and e. Does not impede net shore-drift toward sensitive marine environments such as spits, estuaries, and river deltas; and f. Does not require shoreline armoring or stabilization to protect materials placed unless it is part of an approved shoreline restoration project and shoreline armoring or stabilization measures are needed to keep the material in place; ; <u>and</u>	WAC 173-26-231(3.c) Fill. Fills shall be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration.

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
		<u>g. Protects shoreline ecological functions and ecosystem-wide processes, including channel migration.</u>	
7.	5.3.2 Public Access – Regulations	2. <u>Multi-family residential use and s</u> Subdivisions of more than four (4) lots shall include physical and/or visual public access to public waters unless: ...	WAC 173-26-241(3.j.A): New multiunit residential development, including the subdivision of land for more than four parcels, should provide community and/or public access in conformance to the local government's public access planning and this chapter
8.	6.3 General Shoreline Buffer & Vegetation Requirements	6. Lake Sutherland Standard Buffer: The shoreline buffer on Lake Sutherland shall be 35 feet measured in all directions from the ordinary high water mark. Residences and other structures shall be located at least thirty five (35) feet landward from the ordinary high water mark unless this Program specifically allows a lesser distance. In the Shoreline Residential - Intensive designation, single-family residential use and development that qualifies as minor new development under Section 6.3.2(a) above, shall be located at least 35 feet landward of the Ordinary High Water Mark. The minimum 35-foot buffer is not eligible for further buffer reduction under Sections 6.4, 6.7, or 7.8. In addition to meeting the minimum 35-foot buffer, all minor new development shall avoid and minimize shoreline impacts consistent with the mitigation sequencing requirements of this Program. Furthermore, the landowner shall mitigate the impacts by selecting and implementing one of the following options (a or b below) to maximize the ecological functions of the buffer zone: a. <u>Plant woody cover to create a multi-tiered woody riparian area that meets all of the following criteria:</u> <u>Trees must be planted at 10-foot spacing (on center) and shrubs must be planted at 6-foot spacing (on center) to create an average density of at least one hundred fifty (150) woody stems per acre or eighty-five percent (85%) areal vegetative cover, whichever is greater; and</u> <u>The planting plan shall be designed to optimize overhanging vegetation and woody debris recruitment; and</u> <u>Trees and shrubs must be retained and maintained in perpetuity; and</u>	Ecology followed-up with our sister-agency to better understand WDFW's comments. WDFW provided additional clarification & technical details regarding the 35-foot buffer at Lake Sutherland. Compared to the Table 6-1 standard shoreline buffers widths that range from 50-feet to 150-feet based on SED and development type/lot size: - Regulation #6 establishes a significantly reduced 35-foot buffer for residential structures at Lake Sutherland, and - Table 6-1 footnote #2 allows a reduced 35-foot buffer width for all new use & development at Lake Sutherland regardless of lot size or SED; - No additional mitigation requirements are described for this buffer width reduction to offset the impacts of locating development within the standard shoreline buffer. As proposed, these provisions are internally inconsistent as to which structures and locations are eligible, and the allowed buffer reduction without additional mitigation is inconsistent with the no net loss standard. Also, concerns expressed by WDFW noted the importance of ensuring adequate protection for in-water and riparian habitat that supports anadromous fish species, anticipated to soon have greater access to the lake upon the pending removal and/or improvement of a barrier culvert at the downstream outflow of the lake.

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (<u>underline</u> = additions; strike through = deletions)	ECOLOGY DISCUSSION/RATIONALE
		iv. <u>Landowner must monitor and document plant establishment annually for at least 5 years and submit a written report of the buffer condition to the County Department of Community Development in October of each year; and</u> v. <u>Landowner must post a bond to cover all or a portion of the cost of the plant maintenance and annual monitoring; and</u> vi. <u>The County may require replanting or supplemental planting if the annual monitoring indicates that the plant density and cover standards are not being met.</u> b. <u>Implement a site-specific habitat management plan (HMP) for the property. The HMP need not necessarily involve planting to achieve the same plant cover and density standards required in option 6.3.6.a above, but shall otherwise maximum fish and wildlife habitat value and meet all of the following criteria:</u> i. <u>Describe the nature and intensity of the proposed development and the effect of the proposed development, activity or use on the wildlife species and habitats that occupy the lake and adjacent shoreline; and</u> ii. <u>Include a map prepared at a readable scale showing: the location of the proposed development site; the relationship of the site to surrounding topographic, water features, and existing and/or proposed building locations and arrangements; and a legend which includes a complete legal description, acreage of the parcel, scale, north arrows, and date; and</u> iii. <u>Identify the specific measures that will be implemented and maintained on the property to avoid, minimize and compensate for any adverse impacts to fish and wildlife habitats created by the proposed development (for example, this could include removing/reducing overwater structures or shoreline stabilization); and</u> iv. <u>Be prepared by a qualified professional who has been educated in fish or wildlife biology or a closely related field, and has professional experience as a biologist; and</u>	Parcels with existing residential development that propose structure expansion/enlargement would be subject to Chapter 5.1 non-conforming standards. In consultation with County staff, Ecology requires revision to both the text of 6.3.6 and to Table 6-1 to clarify the limited application of this buffer reduction allowance, to ensure impacts are adequately mitigated, and to improve internal consistency while still allowing the applicant to determine which approach is used. See also changes to SMP 5.1 Existing (Grandfathered) Use & Developments, 6.3 Regulations – General Shoreline Buffer & Vegetation Requirements, Table 6-1 and Map 15. See also Periodic Checklist #2017.g Nonconforming Uses & Development.

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE																											
		v. <u>Use the best available science in all facets of the analyses. The WDFW Priority Habitat and Species Management Recommendations, dated May 1991, and/or bald eagle protection rules outlined in WAC 232-12-292, as now or hereafter amended, and/or similar reference documents may serve as guidance for the plan; and</u> vi. <u>The plan must include performance standards and a program for annual monitoring for at least 5 years; and</u> vii. <u>The landowner must post a bond to cover all or a portion of the cost of the monitoring.</u> c. <u>If the landowner chooses to locate their minor new development at least 50 feet from the OHWM on a parcel that is less than 200 feet deep or at least 75 feet from the OHWM on a parcel that is more than 200 feet deep, no planting or HMP is required.</u> d. <u>All Major New Development on the Lake Sutherland shoreline shall meet the buffer requirements outlined in Table 6-1.</u> Table 6-1. Shoreline Buffer Widths (in feet) by Environment Designation^{1,2} (See examples in Figures 6-2 through 6-6) <table border="1"> <thead> <tr> <th data-bbox="415 919 611 1052" rowspan="2">Shoreline Environment Designation</th><th colspan="3" data-bbox="611 919 1203 964">Standard Shoreline Buffer Width (feet) based Upon Type of Development and Lot Dimension (Measured from the ordinary high water mark--OHWM)</th></tr> <tr> <th data-bbox="611 964 831 1052">Minor New Development on existing lots with < 200 ft. of depth from OHWM to rear lot line</th><th data-bbox="831 964 1052 1052">Minor New Development on existing lots with ≥ 200 ft. of depth from OHWM to rear lot line</th><th data-bbox="1052 964 1203 1052">Major New Development, including all Land Divisions</th></tr> </thead> <tbody> <tr> <td data-bbox="415 1052 611 1089">Marine Waterfront</td><td data-bbox="611 1052 831 1089">50 feet</td><td data-bbox="831 1052 1052 1089">75 feet</td><td data-bbox="1052 1052 1203 1089">100 feet</td></tr> <tr> <td data-bbox="415 1089 611 1133">Shoreline Residential - Intensive</td><td data-bbox="611 1089 831 1133">50 feet²</td><td data-bbox="831 1089 1052 1133">75 feet²</td><td data-bbox="1052 1089 1203 1133">100 feet</td></tr> <tr> <td data-bbox="415 1133 611 1177">Shoreline Residential - Conservancy</td><td data-bbox="611 1133 831 1177">100 feet</td><td data-bbox="831 1133 1052 1177">125 feet</td><td data-bbox="1052 1133 1203 1177">150 feet</td></tr> <tr> <td data-bbox="415 1177 611 1214">Resource Conservancy</td><td data-bbox="611 1177 831 1214">150 feet</td><td data-bbox="831 1177 1052 1214">150 feet</td><td data-bbox="1052 1177 1203 1214">150 feet</td></tr> <tr> <td data-bbox="415 1214 611 1255">Natural</td><td data-bbox="611 1214 831 1255">175 feet</td><td data-bbox="831 1214 1052 1255">175 feet</td><td data-bbox="1052 1214 1203 1255">175 feet</td></tr> </tbody> </table>	Shoreline Environment Designation	Standard Shoreline Buffer Width (feet) based Upon Type of Development and Lot Dimension (Measured from the ordinary high water mark--OHWM)			Minor New Development on existing lots with < 200 ft. of depth from OHWM to rear lot line	Minor New Development on existing lots with ≥ 200 ft. of depth from OHWM to rear lot line	Major New Development, including all Land Divisions	Marine Waterfront	50 feet	75 feet	100 feet	Shoreline Residential - Intensive	50 feet ²	75 feet ²	100 feet	Shoreline Residential - Conservancy	100 feet	125 feet	150 feet	Resource Conservancy	150 feet	150 feet	150 feet	Natural	175 feet	175 feet	175 feet	
Shoreline Environment Designation	Standard Shoreline Buffer Width (feet) based Upon Type of Development and Lot Dimension (Measured from the ordinary high water mark--OHWM)																													
	Minor New Development on existing lots with < 200 ft. of depth from OHWM to rear lot line	Minor New Development on existing lots with ≥ 200 ft. of depth from OHWM to rear lot line	Major New Development, including all Land Divisions																											
Marine Waterfront	50 feet	75 feet	100 feet																											
Shoreline Residential - Intensive	50 feet ²	75 feet ²	100 feet																											
Shoreline Residential - Conservancy	100 feet	125 feet	150 feet																											
Resource Conservancy	150 feet	150 feet	150 feet																											
Natural	175 feet	175 feet	175 feet																											

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	ECOLOGY DISCUSSION/RATIONALE
		¹In the event that buffers for any shorelines and/or critical areas area contiguous or overlapping, the landward-most edge of all such buffers shall apply. ²Lake Sutherland—New <u>single-family residential</u> developments and uses <u>in the Shoreline Residential – Intensive designation</u> shall be at least 35 feet landward of the OHWM <u>based on the criteria and standards of Section 6.3.6, regardless of lot size or Shoreline Designation.</u>	
9.	7.6 Regulations - Wetland Protection Standards	1. New shoreline uses and developments shall be located, designed, constructed, and maintained to avoid wetland areas and their buffers. Impacts to wetlands and their buffers shall be prohibited except when all of the following applicable requirements are met: a. Category I Wetlands. Activities and uses shall be prohibited from Category I wetlands, except where existing public facilities must be expanded or extended into the wetland, or a utility must be located or expanded in a wetland because there is no other site that can serve the utility's function, or a reasonable use exception or variance allows the impact. b. Category II and III Wetlands. For Category II and III wetlands, where wetland fill is proposed, activities and uses shall be prohibited unless the applicant can demonstrate that: i. The basic project purpose cannot be reasonably be accomplished on another site or sites in the general region while still successfully avoiding or resulting in less adverse impact on a wetland; and ii. All on-site alternative designs that would avoid or result in less adverse impact on a wetland or its buffer, such as a reduction in the size, scope, configuration or density of the project, are not feasible. c. Category IV Wetlands. Activities and uses that result in unavoidable impacts may be permitted in Category IV wetlands and associated buffers in accordance with an approved critical area(s) report and compensatory mitigation plan, and only if the proposed activity is the only reasonable alternative that will accomplish the applicant's objectives. Full compensation for the loss of acreage and functions of wetland and buffers shall be provided under the terms established in these regulations.	As presented, Regulation #1.a – g allows impacts based on wetland category and are not consistent with WAC 173-26-221 Use of scientific and technical information, WAC 173-26-201(2)(c) Protection of ecological functions of the shorelines, and WAC 173-26-221(2.c.i.C) Alterations to wetlands. Wetlands within shoreline jurisdiction contribute to the shoreline ecological function and, as such, all wetlands (regardless of size or category) must be protected within the shoreline. Mitigation sequencing shall be applicable to all wetland impacts. The scientific literature does not support exempting wetlands that are below a certain size. All SMP provisions must use the most current, accurate, and complete scientific and technical information available, as relevant or applicable to the issues of concern. The most recent Ecology Wetland Guidance for CAO Updates – Western Washington Version, June 2016 (Publication No. 16-06-001) does not support the proposed provision. Even in situations where uses or development that impact ecological functions are necessary to achieve other objectives of RCW 90.58.020, master program provisions shall, to the greatest extent feasible, protect existing ecological functions and avoid new impacts to habitat and ecological functions before implementing other measures designed to achieve no net loss of ecological functions. Ecology requires revision to delete the proposed Regulation #1.a – g and replace with inserted text consistent with WAC 173-26-221(2.c.i.A).

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (<u>underline</u> = additions; strike through = deletions)	ECOLOGY DISCUSSION/RATIONALE
		d. The use or development is specifically allowed by this Program. e. All reasonable measures have been taken to avoid adverse impacts on wetland functions and values as demonstrated through a mitigation plan. f. Compensatory mitigation for acreage and function is provided, in accordance with Section 8.3 through 8.4 of this Program, for all adverse impacts that cannot be avoided. g. The amount and degree of alteration are limited to the minimum needed to accomplish the project purpose. <u>The following shoreline use and development activities in regulated wetlands or buffers shall achieve, at a minimum, no net loss of wetland area and functions, including lost time when the wetland does not perform the function:</u> <u>a. The removal, excavation, grading, or dredging of soil, sand, gravel, minerals, organic matter, or material of any kind;</u> <u>b. The dumping, discharging, or filling with any material, including discharges of stormwater and domestic, commercial, or industrial wastewater;</u> <u>c. The draining, flooding, or disturbing of the water level, duration of inundation, or water table;</u> <u>d. The driving of pilings;</u> <u>e. The placing of obstructions;</u> <u>f. The construction, reconstruction, demolition, or expansion of any structure;</u> <u>g. Significant vegetation removal, provided that these activities are not part of a forest practice governed under chapter 76.09 RCW and its rules;</u> <u>h. Other uses or development that results in an ecological impact to the physical, chemical, or biological characteristics of wetlands; or</u> <u>i. Activities reducing the functions of buffers.</u>	
10.	7.10 Regulations – Class I and II Terrestrial Habitat Conservation Areas	1. Designation: Class I Terrestrial Habitat Conservation Areas shall include the following: a. Critical and priority habitats for species classified as Endangered, Threatened, Sensitive or Candidate under state or federal law which, if altered, may reduce the likelihood that the species will maintain and reproduce over the	As written, #1.b creates internal conflict with definitions/provisions for both Aquatic and Terrestrial HCAs and Critical Saltwater Habitat; Critical saltwater habitat is one of the designation criteria for Aquatic HCAs at 7.7(1.c). Ecology requires revision to correct this error.

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
		long term. These species/habitats are documented in maps or databases available to Clallam County and its citizens. b. Critical saltwater habitats.	
11.	10.1 Administrative Authority and Responsibility	1. The Director of the Clallam County Department of Community Development or his/her designee (the Administrator) is vested with authority to administer this Shoreline Master Program and to: d. Make administrative decisions and interpretations of the policies and regulations of this Program and the Shoreline Management Act, <u>including formal written interpretations in consultation with Ecology per WAC 173-26-140;</u>	WAC 173-26-140: <i>As required by RCW 36.70B.110(11), each local government planning under chapter 36.70A RCW shall adopt procedures for administrative interpretation of its development regulations, which include shoreline master programs. When developing and adopting procedures for administrative interpretation of its shoreline master program, local government shall include provisions requiring consultation with the department to insure that any formal written interpretations are consistent with the purpose and intent of chapter 90.58 RCW and the applicable guidelines.</i>
12.	10.2.9 Permit Revisions	3. "Within the scope and intent of the original permit" means all of the following: a. No additional overwater construction is involved except that a pier, dock or floating structure may be increased by <u>five hundred (500) square feet or ten percent (10%) over that approved under the original permit, whichever is less;</u> ...	This rule requirement applies regardless of inclusion in the SMP but if this provision is in the SMP it must be consistent. WAC 173-27-100(2): <i>"Within the scope and intent of the original permit" means all of the following: (a) No additional over water construction is involved except that pier, dock, or float construction may be increased by five hundred square feet or ten percent from the provisions of the original permit, whichever is less; ...</i>
13.	11.A	4. Accessory use <u>or structure</u> means any legally established use or structure which is necessary for the full use and enjoyment of the primary use of the property, that is typically associated with the primary use, and is subordinate to or incidental to the primary use of a parcel and which includes the utilities necessary to serve the accessory use. <u>Appurtenant structures are structures that are necessarily connected to the use and enjoyment of a single-family residence and are located landward of the ordinary high water mark and the perimeter of a wetland. Normal appurtenances include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield, and grading (per WAC 173-27-040(2.g)), but do not include bulkheads</u>	Revision required to delete conflicting statement for consistency with WAC 173-27-040 and internal consistency with other related terms; an accessory cannot be both 'necessary for' and 'incidental to' the primary use. As written this confounds the term accessory with appurtenance. Appurtenance is not defined but used in the SMP at 4.6.5(2.c) New/Expanded Stabilization that addresses 'single-family residence and appurtenant structures pursuant to RCW 90.58.100 (6)' Revision required for consistency with RCW 90.58.620(2) and WAC 173-27-040(2.g), and for internal consistency.

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES <u>[underline = additions; strikethrough = deletions]</u>	ECOLOGY DISCUSSION/RATIONALE
		<u>and other shoreline modifications or overwater structures (per RCW 90.58.620 (2)).</u>	
14.	11.F	121. Fill means <u>the addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the OHWM, in wetlands, or on shorelands in a manner that raises the elevation or creates dry land.</u> the addition of solid or semi-solid material such as soil, sand, rock, gravel, sediment, wood chips, mining overburden, earth retaining structure, or other material used to create any structure or infrastructure or that when placed changes the elevation or grade of a receiving site.	As written, the definition is not consistent with WAC 173-26-020(16). Ecology requires revision for compliance.
15.	11.G	144. Grading means <u>the movement or redistribution of the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land, including</u> stripping, cutting, filling, or stockpiling earth to create new grade.	WAC 173-26-020(22): "Grading" means the movement or redistribution of the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land.
16.	11.H	158. Height <u>is measured from average grade level to the highest point of a structure: Provided, That television antennas, chimneys, and similar appurtenances shall not be used in calculating height, except where such appurtenances obstruct the view of the shoreline of a substantial number of residences on areas adjoining such shorelines, or the applicable master program specifically requires that such appurtenances be included: Provided further, that temporary construction equipment is excluded in this calculation.</u> building means the vertical distance from grade plane to the average height of the highest roof surface (cf. International Building Code).	WAC 173-27-030(9): "Height" is measured from average grade level to the highest point of a structure: Provided, That television antennas, chimneys, and similar appurtenances shall not be used in calculating height, except where such appurtenances obstruct the view of the shoreline of a substantial number of residences on areas adjoining such shorelines, or the applicable master program specifically requires that such appurtenances be included: Provided further, that temporary construction equipment is excluded in this calculation.
17.	11.I	<u>Important, Sensitive and Unique Areas (ISUs) are specific areas in state waters that meet one or more of the following criteria:</u> <u>a. Areas that are environmentally sensitive or contain unique or sensitive species or biological communities that must be conserved and warrant protective measures [RCW 43.372.040(6)(c)].</u> <u>b. Areas with known sensitivity and where the best available science indicates the potential for offshore development to cause irreparable harm to the habitats, species, or cultural resources.</u>	As related to Item #4 above about ORMA – MSP provisions, Ecology requires revision for consistency with WAC 173-26-360. See also Exhibit 1.

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
		<u>c. Areas with features that have limited, fixed and known occurrence.</u> <u>d. Areas with inherent risk or infrastructure (e.g. buoys or cables) that are incompatible with new ocean uses.</u>	
18.	11.M	<u>Marine Spatial Plan for Washington's Pacific Coast (MSP) is a planning document designed to address new ocean use development off Washington's Pacific coast that had not been previously permitted or approved prior to the adoption of the plan in June 2018. The MSP uses a series of data, maps, and analyses in combination with a management framework to evaluate potential the impacts from new ocean use projects on existing uses resources, based on the principles and criteria outlined in the Ocean Resources Management Act (ORMA) [RCW 43.143.030(2)] and the Ocean Management Guidelines [WAC 173-26-360]. It applies a coordinated decision-making process between various governments, tribes, and stakeholders, and includes additional siting recommendations and fisheries protection standards. These principles have been incorporated into this SMP. See Ecology Publication No. 17-06-027, Revised June 2018 (https://fortress.wa.gov/ecy/publications/documents/1706027.pdf; and https://msp.wa.gov/).</u>	As related to Item #4 above about ORMA – MSP provisions, Ecology requires revision for consistency with WAC 173-26-360. See also Exhibit 1.
19.	11.N	<u>New Ocean Uses are uses and developments that have not occurred or were not permitted within Washington's Coastal waters prior to the completion of the Marine Spatial Plan for Washington's Pacific Coast, as revised June 2018. New uses, as defined by the MSP, are in-water uses, with potential adverse impacts to renewable resources or existing uses that have not been previously reviewed or authorized/permited within the MSP study area. The MSP anticipates new ocean use proposals for activities such as renewable energy, dredged material disposal, mining, marine product harvesting, and offshore aquaculture operations. See also "Ocean Uses".</u>	As related to Item #4 above about ORMA – MSP provisions, Ecology requires revision for consistency with WAC 173-26-360. See also Exhibit 1.

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION No. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
20.	11.0	<u>Ocean Disposal Uses involve the deliberate deposition or release of material at sea, such as solid wastes, industrial waste, radioactive waste, incineration, incinerator residue, dredged materials, vessels, aircraft, ordnance, platforms, or other man-made structures.</u> <u>Ocean Energy Production Uses involve the production of energy in a usable form directly in or on the ocean rather than extracting a raw material that is transported elsewhere to produce energy in a readily usable form. Examples of these ocean uses are facilities that use wind, wave action or differences in water temperature to generate electricity.</u> <u>Ocean Mining includes such uses as the mining of metal, mineral, sand, and gravel resources from the sea floor.</u> <u>Ocean Oil and Gas Uses and Activities involve the extraction of oil and gas resources from beneath the ocean.</u> <u>Ocean Salvage Uses share characteristics of other ocean uses and involve relatively small sites occurring intermittently. Historic shipwreck salvage which combines aspects of recreation, exploration, research, and mining is an example of such a use.</u> <u>Ocean Transportation includes such uses as: shipping, transferring between vessels, and offshore storage of oil and gas; transport of other goods and commodities; and offshore ports and airports.</u> <u>Ocean Uses are activities or developments involving renewable and/or nonrenewable resources that occur on Washington's coastal waters and includes their associated off shore, near shore, inland marine, shoreland, and upland facilities and the supply, service, and distribution activities, such as crew ships, circulating to and between the activities and developments. Ocean uses involving</u>	As related to Item #4 above about ORMA – MSP provisions, Ecology requires revision for consistency with WAC 173-26-360. See also Exhibit 1.

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
		<u>nonrenewable resources include such activities as extraction of oil, gas and minerals, energy production, disposal of waste products, and salvage. Ocean uses which generally involve sustainable use of renewable resources include commercial, recreational, and tribal fishing, aquaculture, recreation, shellfish harvesting, and pleasure craft activity. See also "New Ocean Uses".</u>	
21.	11.P	230. Parties of record means <u>all persons, agencies or organizations who have submitted written comments in response to a notice of application; made oral comments in a formal public hearing conducted on the application; or notified local government of their desire to receive a copy of the final decision on a permit and who have provided an address for delivery of such notice by mail.</u> the land use permit applicant; persons who have testified at the open record hearing; and any persons who have submitted written comments concerning the application that form part of the public record (excluding persons who only signed petitions or mechanically produced form letters).	As written, this definition is not consistent with WAC 173-27-030(12) : <i>"Party of record" includes all persons, agencies or organizations who have submitted written comments in response to a notice of application; made oral comments in a formal public hearing conducted on the application; or notified local government of their desire to receive a copy of the final decision on a permit and who have provided an address for delivery of such notice by mail;</i>
22.	11.R	266. Recreational development means development that includes <u>commercial and public facilities designed and used to provide recreational opportunities to the public.</u> but are not limited to: piers, docks, boat launches, campgrounds, interpretive structures, trails, etc. that support a recreational use. 267. Recreational use means an experience or activity <u>that facilitates public access to shorelines of the state, including but not limited to parks, marinas, piers, and other improvements, in which an individual engages for personal enjoyment and satisfaction.</u> Examples of shore-based recreation include: fishing, hunting, clamming, beach combing, and rock climbing; various forms of boating, swimming, hiking, bicycling, horseback riding, camping, picnicking, watching or recording activities such as photography, painting, bird watching or viewing of water or shorelines, nature study and related activities.	As written, these definitions are not consistent with WAC 173-26-241(3.i) : <i>Recreational development includes commercial and public facilities designed and used to provide recreational opportunities to the public. Master programs should assure that shoreline recreational development is given priority and is primarily related to access to, enjoyment and use of the water and shorelines of the state.</i> Ecology requires revision for consistency with WAC and RCW 90.58.020(7).
23.	11.R	270. Residential development means development of land with dwelling units for non-transient occupancy. For the purposes of this Program, accessory dwelling units, garages, and other similar structures accessory to a dwelling unit shall also	SMP does not contain a definition for 'dwelling unit' and as written, this definition is not consistent with WAC 173-26-241(3.j) :

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
		be considered residential development (See also Dwelling unit and Accessory dwelling unit). <u>Residential development also includes multifamily development and the creation of new residential lots through land division.</u>	Residential development - Single-family residences ... Residential development also includes multifamily development and the creation of new residential lots through land division. Ecology requires revision for internal consistency and consistency with WAC.
24.	11.S	307. Shorelines of statewide significance with respect to Clallam County are identified as follows: a. The lakes, whether natural, artificial, or a combination thereof, with a surface acreage of one thousand (1,000) acres or more measured at the ordinary high water mark, including associated wetlands. b. Those areas of Puget Sound and the Strait of Juan de Fuca between the ordinary high water mark and the line of extreme low tide. c. b. The area between the ordinary high water mark and the western boundary of the state including harbors, bays, estuaries, and inlets. d. c. Those areas of Puget Sound and the Strait of Juan de Fuca and adjacent salt waters north to the Canadian line and lying seaward from the line of extreme low tide. e. d. Those natural rivers or segments thereof downstream from a point where the mean annual flow is measured at one thousand (1,000) cubic feet per second or more. f. e. Those shorelands associated with the areas described in subsection a, b, d and e of this definition.	b – This does not apply because none of the Puget Sound or Strait of Juan de Fuca SWS areas that are specified by statute are located in Clallam County. RCW 90.58.030(2)(f)(ii) Those areas of Puget Sound and adjacent salt waters and the Strait of Juan de Fuca between the ordinary high water mark and the line of extreme low tide as follows: (A) Nisqually Delta (B) Birch Bay (C) Hood Canal (D) Skagit Bay and adjacent area (E) Padilla Bay Ecology requires revisions to correct these errors for consistency with RCW 90.58.030(2.f)
25.	11.S	313. Single-family residence means a detached dwelling unit designed for and occupied by no more than one family, including accessory uses (see definition). Accessory uses include development that is necessarily connected to the use and enjoyment of a single-family residence and located landward of the ordinary high water mark and the perimeter of a wetland and include a garage; deck; driveway; utilities; fences; septic tanks and drainfields; and grading which does not exceed two hundred fifty cubic yards which does not involve placement of fill in any wetland or waterward of the ordinary high water mark. including those structures and developments within a contiguous ownership which are a normal	As written, this definition is not consistent with WAC 173-27-040(2.g) : "Single-family residence" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance. An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. On a statewide basis, normal appurtenances include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading which does not

ATTACHMENT B: DEPARTMENT OF ECOLOGY REQUIRED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION No. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (<u>underline</u> = additions; strike through = deletions)	ECOLOGY DISCUSSION/RATIONALE
		<u>appurtenance. An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. On a statewide basis, normal appurtenances include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield; and grading which does not exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark.</u>	<i>exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark.</i> Ecology requires revision for consistency with WAC 173-27-040 and internal consistency with other related terms used/defined in the SMP.
26.	11.W	351. Water-dependent use means a use or portion of a use that requires direct contact with the water and cannot exist at a non-water location due to the intrinsic nature of its operations. Ferry terminals, public fishing piers, aquaculture, and marinas are examples of water dependent uses. Residential development is not a water-dependent use but is a preferred <u>priority</u> use of shorelines of the state (RCW 90.58.020).	Consistent with WAC 173-26-241(3.j), single family residential use may be considered a <i>priority</i> when pollution and damage are avoided. This priority is separate, and different from, the required order of use <i>preference</i> established by WAC 173-26-201(2.d) where single family residential use is recognized well after ecological functions, water-oriented and mixed use activities. As written, the goal statement is incorrect in referring to single-family residential use as preferred, and inconsistent with rule requirements. Ecology requires text revisions for accuracy and clarity.
27.	Missing	<u>Exhibit B - List of SMP Waterbodies</u>	WAC 173-18-044 and 173-20-044 require the SMP to include a list of stream and lake shorelines of the state under local jurisdiction. The list established by a comprehensively updated SMP replaces the older WAC lists that Ecology no longer maintains. While the SMP Exhibit A mapping is extensive and appears to be complete, no list of waterbodies is provided. The list must include all freshwater waterbodies covered by the SMP, and may also include marine shorelines. Ecology requires revision for consistency with the WAC requirements and proposes to add this list as a new SMP Exhibit B after the Exhibit A Shoreline Environment Designation maps. The Table of Contents will also need revision to reflect this change.

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION No.91-2018)

The following changes are recommended to clarify provisions for implementation, as consistent with the SMA (RCW 90.58) and the SMP Guidelines (WAC 173-26, Part III):

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethroughs = deletions)	ECOLOGY DISCUSSION/RATIONALE
1.	Cover Page	Note: This Clallam County Shoreline Master Program (SMP) is intended to update and replace: (1) the 1976 SMP (last amended 1992); and (2) Clallam County Code (CCC) Chapter 35.01 SMP administrative standards under Title 35 CCC, Shorelines. The County is in has <u>completed</u> the process of for a comprehensive update ing of the SMP for consistency with the Washington State Shoreline Management Act (SMA), RCW 90.58, and state shoreline master program guidelines (WAC 173-26, WAC 173-27). The County and the Washington State Department of Ecology share joint authority and responsibility for the update and administration of the SMP (RCW 90.58.050). <u>Updates All amendments to the County's SMP require approval by Ecology to be effective. Per RCW 90.58.090, this SMP will be submitted to Ecology for state review and approval and additional public review. ...</u>	As written, this language is out of sync for the final status of the SMP. Ecology recommends text revisions to update wording for the final approved SMP.
2.	General	...the <u>most current, accurate, complete, available and applicable</u> best available science...	Global Change - 'Best available science' (BAS) is a term/convention derived from the Growth Management Act (GMA). Under SMA, WAC 173-26-201(2.a) requires use of the "most current, accurate, and complete scientific and technical information available that is applicable to the issues of concern". Ecology recommends the County consider scrubbing the document to replace "best available" with the SMA terminology (i.e. "most current, accurate, complete available information") or similar, including, but not limited to, the following locations: Chapter 1.2; 1.8(3); 1.12(2); 2.2(3); 3.2.4(14); 7.14(10.a); and 10.3.2(2).
CHAPTER 1 INTRODUCTION & OVERVIEW			
3.	1.1 Background Information	<i>[second to last paragraph on page 1-3]:</i> ... Following the public hearing, the BOCC held 16 work sessions to consider the Planning Commission recommendation and public comments received and took final action to locally approve <u>adopt</u> the SMP on in October 2018 (Resolution 91-2018-Insert Date of Adoption) . <u>The final SMP adopted by the BOCC will be submitted to After the Department of Ecology for state review and conditional approval, the BOCC adopted the final SMP in [[Month Year]] (Ordinance No. [[###-###]]) and subject to additional public review. This SMP is effective as of [[Month Day, Year]], 14 days after Ecology's notice of final action.</u>	As written, this language is out of sync for the final status of the SMP. Ecology recommends text revisions to update wording for the final approved SMP.

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	ECOLOGY DISCUSSION/RATIONALE
4.	1.4 SMP Update Vision	Marine spatial planning is another important tool that is increasingly being used around the country and world to coordinate decisions for coastal and ocean environments. <u>Including in Washington State. In June of 2018, the Marine Spatial Plan for Washington's Pacific Coast was finalized. This was the result of a multi-year planning process beginning in 2010 when the State enacted a marine spatial planning law to address resource use conflicts and the potential for new ocean development. The plan was developed by an interagency team with input from stakeholders represented by the Washington Coast Marine Advisory Council (WCMAC).</u> Marine spatial planning uses data on the location of important marine resources, human activities, and other key components to determine the most appropriate locations for particular uses to achieve ecological, economic and social objectives.	As related to the Ocean Resources Management Act (ORMA) requirements of WAC 173-26-360, the collaborative work of the State Ocean Caucus and Washington Coastal Marine Advisory Council (WCMAC) has continued since earlier draft SMP language was written. The <i>Marine Spatial Plan for Washington's Pacific Coast</i> was finalized in June 2018. Ecology recommends text revisions to better reflect the final MSP and ongoing WCMAC efforts for consistency with WAC 173-26-360. See also related changes in Attachment B Required Changes for SMP 2.3, SMP 3.13 and Chapter 11 Definitions.
5.	1.5 Shoreline Master Program Goals	10. To preserve shorelines for <u>water-dependent</u> and water-related commerce and industry that are essential to the County's economy, and to discourage interference with established water- oriented <u>related</u> use of shorelines.	WAC 173-26-241(3.d) gives first preference to water-dependent commercial use over non-water dependent commercial use, and secondly to other water-oriented commercial use over non-water oriented commercial use. As written, this goal only mentions water-related commercial and industrial use, omitting the more preferred water-dependent uses. Ecology recommends revision to improve accuracy and clarity.
6.	1.7 Exceptions to Applicability	1. This Program shall not apply to: a. lands held in trust by the United States for Indian Nations, Tribes, or individuals; b. lands within the boundaries of the Olympic National Park in accordance with RCW 37.08.210, including inter-tidal lands between the ordinary high water mark and extreme low water located within the Park along the Pacific Coast; and c. The exercise of treaty rights, as acknowledged and provided for in RCW 90.58.350, the Shoreline Management Act of 1971. <u>2. Developments not required to obtain shoreline permits or local reviews. Requirements to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other review to implement the Shoreline Management Act do not apply to the following:</u> <u>a. Remedial actions. Pursuant to RCW 90.58.355, any person conducting a remedial action at a facility pursuant to a consent decree, order, or agreed order issued</u>	WAC 173-27-044 and -045 identify limited activities that are not subject to local SMP review and permitting or to the SMA (respectively), as different and separate from the activities exempted from substantial development permit requirements per -040. These exceptions are in effect regardless of inclusion in the SMP, but are helpful to note for implementation. Ecology recommends revision to add language that specifically identifies these exceptions to aid both applicants and practitioners. See also Periodic Review Checklist #2017.c. This item also identified by S. Gray Feb '19 email re: PR items.

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION No. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES <u>Underline</u> = additions; strike through = deletions	ECOLOGY DISCUSSION/RATIONALE
		<u>pursuant to RCW 70.105D, or to the Department of Ecology when it conducts a remedial action under chapter 70.105D RCW.</u> <u>b. Boatyard improvements to meet NPDES permit requirements. Pursuant to RCW 90.58.355, any person installing site improvements for storm water treatment in an existing boatyard facility to meet requirements of a national pollutant discharge elimination system storm water general permit.</u> <u>c. WSDOT facility maintenance and safety improvements. Pursuant to RCW 90.58.356, Washington State Department of Transportation projects and activities meeting the conditions of RCW 90.58.356 are not required to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other local review.</u> <u>d. Projects consistent with an environmental excellence program agreement pursuant to RCW 90.58.045.</u> <u>e. Projects authorized through the Energy Facility Site Evaluation Council process, pursuant to chapter 80.50 RCW.</u>	
7.	1.10 Authority	3. Consistent with RCW 90.58.080 the County will conduct a periodic review of this Program and, if necessary, revise this Program to assure: a. That the Program complies with applicable law and guidelines in effect at the time of the review, including the Shoreline Management Act, Chapter 90.58 RCW; State Master Program Approval/Amendment Procedures and Master Program Guidelines, Chapter 173-26 WAC; and Shoreline Management Permit and Enforcement Procedures, Chapter 173-27 WAC. b. Continued consistency of this Program with the Clallam County Comprehensive Plan and development regulations adopted under the Washington State Growth Management Act (GMA), RCW 36.70A, as applicable. <u>c. That the Program reflects any changes in local circumstance, new information or improved data.</u> 4. The County shall convene a citizen review panel to assist in the periodic review process and shall report the findings to the public at-large.	WAC 173-26-090 describes the minimum scope of review, and requires revision as needed, for three categories including 'changing local circumstance, new information or improved data' and the two presented as written. Ecology recommends text revisions to add the third required category for clarity.
8.	1.12 Limitations and Disclaimer	1. The degree of environmental protection required by this Program is considered reasonable for regulatory purposes. This Program does not imply that lands outside of shoreline jurisdiction do not provide beneficial functions, nor does it imply that any lands within or outside of shoreline jurisdiction will be free from hazards. This Program shall not create liability on the part of Clallam County, any officer, <u>public official</u>, or employee thereof, for any damages that result from reliance on this Program, <u>providing assistance</u>	Clarifying edit suggested by County staff to reflect that the Administrator of this Program is a publically elected official, and that Section 8.2.5 requires the County to provide "assistance." Ecology supports the change.

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	ECOLOGY DISCUSSION/RATIONALE
		<u>to applicants/proponents as specified under Section 8.2.5,</u> or any administrative decision lawfully made pursuant to the spirit and purpose of this Program.	
CHAPTER 2 SHORELINE ENVIRONMENT DESIGNATIONS			
9.	2. Shoreline Environment Designations	2.1 Basis of the Designations ... <u>4. Figure 2-2 shows example photographs representing typical river and marine shorelines that are designated Natural, Resource Conservancy, Shoreline Residential – Conservancy, Shoreline Residential – Intensive, or Marine Waterfront.</u> 2.4 Natural Designation; 1. Criteria: <u>Figure 2-2 shows sample photographs representing typical river and marine shorelines that are designated Natural.</u> The Natural designation is applied to shoreline areas landward of the ordinary high water mark...	Global Change - This statement about Figure 2-2 photographs is repeated for each SED at SMP 2.4 – 2.8. Photos of example shoreline reaches do not establish designation criteria; this text is better located elsewhere, stated once as a courtesy for readers. Ecology recommends text revisions to minimize repetition, shown here for 2.4 Natural, and also located at: 2.5 Resource Conservancy Designation; 2.6 Shoreline Residential – Conservancy Designation; 2.7 Shoreline Residential – Intensive Designation; and 2.8 Marine Waterfront Designation And we suggest moving the text deleted from 2.4 – 2.8 to SMP 2.1 as a new #4 as shown here.
10.	2.4 Natural Designation	1. Criteria: ...The Natural designation is applied to shoreline areas landward of the ordinary high water mark located outside of County forest lands of long-term commercial significance designated pursuant to RCW 36.70A.170 (see also Section 2.5, Resource Conservancy Designation) <u>and are ecologically intact, unable to support new use or development without significant adverse impacts to ecological functions or risk to human safety, or have particular scientific or educational interest.</u> These shorelines are characterized as also having a preponderance of the following characteristics: ...	Ecology recommends text revisions for clarity, for better consistency with WAC 173-26-211(5.a.iii), and for internal consistency with the Management Policies of 2.4(3).
11.	2.5 Resource Conservancy	1. Criteria: ... The Resource Conservancy designation is applied to shoreline areas landward of the ordinary high water mark located <u>outside a UGA</u>, within or bordering forest lands of long-term commercial significance designated under the Clallam County Comprehensive Plan, Title 31 CCC, pursuant to RCW 36.70A.170, and zoned Commercial Forest (CF), Commercial Forest/Mixed Use 20 (CFM20), and Commercial Forest/Mixed Use 5 (CFM5) on the Clallam County Comprehensive Plan Land Use and Clallam County SMP October 2018 2-7 Zoning Maps. These shorelines are characterized as also having a preponderance of the following characteristics:	This 'locally tailored' SED appears to be a primarily timber/forest practices-focused version of the WAC's Rural Conservancy. There is some internal inconsistency with another SED and, as written, some of the aspects addressed by the WAC version are lacking here (i.e. low intensity/density, historical/cultural) but not covered by any other SED. Ch 11 Definition 109. Low intensity land use means a land use that has limited impact upon the land, resources an adjoining properties in terms of the scale of development, and frequency, amount, or concentration of use. Low intensity uses are

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	ECOLOGY DISCUSSION/RATIONALE																
		a. Typically associated with large, contiguous blocks of forest lands and natural <u>resource</u> areas; b. Dispersed, scattered and/or relatively isolated <u>low-density</u> residential, <u>low-intensity</u> recreational, or other <u>water-oriented</u> developments; c. High percentages of closed-canopy forest, but may include areas of recent timber harvests and related forest practices; d. Minimal constraints to overbank flooding and/or channel migration; or e. Forest fragmentation or conversion of forest cover to other land cover types is minimal; <u>f. High recreational value or unique historic or cultural resources; or</u> <u>g. LAMIRDs with low-intensity water-dependent uses.</u> 2. Purpose: The purpose of the Resource Conservancy designation is to maintain resource lands in a predominantly forested condition for sustained timber production, habitat conservation, and/or <u>low-intensity</u> outdoor recreational use <u>while protecting existing ecological functions and processes.</u>	mostly passive uses that do not substantially consume resources or leave noticeable or lasting adverse impacts. 1. Criteria – The Shoreline Residential – Conservancy Criteria include areas inside UGAs so it seems this Resource Conservancy would be the counterpart for locations outside UGAs. The Management Policies at 2.5(3) below reflect the WAC language so the Criteria need to match for consistency: a. Natural resource areas are different than natural areas; b. Low density/intensity, water-oriented uses f. Recreational, historic, cultural g. Low intensity water-dependent uses in LAMIRDs Ecology recommends text revisions for clarity and better consistency with WAC 173-26-211(5.b), and internal consistency.																
12.	2.9 Allowed Uses in Each Shoreline Environment Designation	Table 2-2 Non-Residential Uses <table><tr><th>Use/Development/Modification</th><th>Aquatic – Straits¹</th><th>Aquatic – Pacific Ocean¹</th><th>Marine Waterfront</th><th>Shoreline Residential - Intensive</th><th>Shoreline Residential - Conservancy</th><th>Resource Conservancy</th><th>Natural</th></tr><tr><td>Dredging and dredge material disposal (see Section 4.3)</td><td>see note 1 2-2</td><td>C⁺</td><td>C</td><td>C</td><td>C</td><td>C</td><td>X</td></tr></table>	Use/Development/Modification	Aquatic – Straits ¹	Aquatic – Pacific Ocean ¹	Marine Waterfront	Shoreline Residential - Intensive	Shoreline Residential - Conservancy	Resource Conservancy	Natural	Dredging and dredge material disposal (see Section 4.3)	see note 1 2-2	C ⁺	C	C	C	C	X	In consultation with County staff about a clarifying edit suggested to address dredge disposal under an approved DMMP, the Table 2-2 reference to Footnote #2 was recognized as erroneous, as it regards agricultural uses on agricultural lands. See also Periodic Review Checklist Item #2019.b. Ecology supports the change to correct the typo.
Use/Development/Modification	Aquatic – Straits ¹	Aquatic – Pacific Ocean ¹	Marine Waterfront	Shoreline Residential - Intensive	Shoreline Residential - Conservancy	Resource Conservancy	Natural												
Dredging and dredge material disposal (see Section 4.3)	see note 1 2-2	C ⁺	C	C	C	C	X												
CHAPTER 3 POLICIES & REGULATIONS FOR SPECIFIC SHORELINE USES & DEVELOPMENTS																			
13.	3.2.1 Aquaculture - Policies	8. <u>The County recognizes that potential locations for aquaculture may be restricted due to specific requirements for water quality, temperature, flows, oxygen, adjacent land uses, wind protection, commercial navigation, and/or salinity, and that technology associated with some forms of existing aquaculture is still in its formative stages. These limiting factors necessitate some experimental latitude in the development of this use as long as its potential impacts are taken into account.</u> Experimental aquaculture projects in water bodies should be limited in scale and duration until their effects can be adequately understood. Flexibility to experiment with new aquaculture techniques should be	Ecology recommends text revisions for improved consistency with WAC 173-26-241(3.b.i.B) by adding context for why experimental aquaculture is allowed.																

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	ECOLOGY DISCUSSION/RATIONALE
		allowed when consistent with state and federal regulations and this Program and when properly monitored to prevent adverse impacts.	
14.	3.2.2 Aquaculture Regulations - General	15. Where aquaculture use and development are authorized to use public county facilities, such as boat launches or docks, the Administrator shall reserve the right to condition the permit to require the project proponent to pay a portion of the maintenance costs and any required improvements commensurate with the project proponent's use. The County shall seek comment from the public agency managing any public facility proposed to be used as part of the aquaculture operations on applicable use fees or other use restrictions or requirements.	County proposed to accept the requested change, and added another suggested revision, to address issues raised by Taylor Shellfish comments in the Comment Response Summary (Attachment D) Item #49. The County's proposed revision is not necessary for consistency with SMA, but is acceptable. In consultation with County staff, Ecology supports the County's revisions.
15.	3.2.2 Aquaculture Regulations - General	18. The County shall require applicants for aquaculture developments provide a bond or similar financial surety to fund the removal of any abandoned or failed aquaculture facility. The amount of the bond shall be determined based upon the cost to remove the facility value of the facility and the gross value of the annual facility production. The County shall waive this requirement where sufficient bond to address the intent of this standard is part of the state Aquatic Land Lease Authorization.	County proposed to accept the requested change and suggested revisions to address issues raised by Taylor Shellfish comments in Comment Response Summary (Attachment D) Item #50. The County's proposed revision is not necessary for consistency with SMA, but is acceptable. In consultation with County staff, Ecology supports the County's revisions.
16.	3.2.5 Aquaculture – Application Requirements	5. An application for commercial geoduck aquaculture shall include: ... n. Whether the site contains existing public access to publicly owned lands Where the site contains existing public access to publicly owned lands, consider recommendations from the department of natural resources or other landowning agencies regarding protection of the existing public access; and	Ecology recommends text revisions for improved consistency with WAC 173-26-241(3.b.iv.L.XII) : <i>Where the site contains existing public access to publicly owned lands, consider recommendations from the department of natural resources or other landowning agencies regarding protection of the existing public access.</i>
17.	3.11.2 Transportation Regulations – Design & Operations	6. Private road access to private development sites may be permitted to cross wetlands, streams and/or their buffers if there are no feasible alternative alignments. Alternative access shall be pursued to the maximum extent feasible, including through the provisions of RCW 8.24. Exceptions or deviations from technical standards for width or other dimensions, and specific construction standards to minimize impacts, may be specified, including placement on elevated structures as an alternative to fill, if feasible. Proponents of such wetland or stream crossings must demonstrate that all of the following criteria are met: a. There is no other feasible alternative route with less impact on shorelines or critical areas. ...	Clarifying edit suggested by County staff for internal consistency. Ecology supports the clarification.

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	ECOLOGY DISCUSSION/RATIONALE
18.	3.12.0 Utilities - Applicability	<u>This section applies to all</u> Utilities including distribution lines and related facilities, as defined in Chapter 11, shall be consistent with the following policies and shall conform to the following regulations, except as applies to residential utilities described in Section 3.8.2 of this Program.	Clarifying edit suggested by County staff for internal consistency with SMP 3.8 Residential Development provisions. Ecology supports the clarification.
CHAPTER 4 POLICIES AND REGULATIONS FOR SHORELINE MODIFICATIONS			
19.	4.1.2 Shoreline Modifications – Beach Access Structures - Regulations	2. New beach access structures shall comply shall comply with the applicable provisions of Chapters: 6, Buffers; 7, Critical Areas; 8, Mitigation and No Net Loss; and with the applicable sections: 5.2, Clearing, Grading and Filling; 5.3, Public Access; 5.4, Water Quality/Water Management and 5.5, Archeological, Historical and Cultural Resources.	Clarifying edit suggested by County staff to delete duplicate language. Ecology supports the change to correct the typographical error.
CHAPTER 5 GENERAL POLICIES AND REGULATIONS			
20.	5.1.0 General Policies & Regulations – Existing (Grandfathered) Uses & Development - Applicability	2. Consistent with RCW 90.58.620 and WAC 173-27-080, single-family residences and accessory appurtenant structures located landward of the ordinary high water mark that were legally established prior to the effective date of this Program, but do not conform to the regulations of this Program, are considered conforming structures and uses for the purposes of this Program. For the purposes of this section, accessory structures do not include shoreline modifications or over water structures.	In consultation with County staff about a clarifying edit for consistency with Attachment B Required Change to SMP 11 Definitions for 'accessory' and 'appurtenant structures', it was recognized that consistency with the noted statutory citation would provide better clarity. Further, the last sentence as presented can be deleted as duplicative of the SMP 11. Definition for Appurtenance/Appurtenant Structures. Ecology supports the change and proposes alternative phrasing for consistency with <i>RCW 90.58.620(1.a) "Residential structures and appurtenant structures that were legally established..." and (2) "For purposes of this section, "appurtenant structures" means garages, sheds, and other legally established structures. "Appurtenant structures" does not include bulkheads and other shoreline modifications or overwater structures"</i>
21.	5.1.3 General Policies & Regulations – Existing (Grandfathered) Uses & Development –	7. Expansion/Enlargement of Single-family Residence or Accessory Appurtenant Structure; a. Administrative Approval: The Administrator may allow a one-time enlargement, expansion or addition to a grandfathered, single-family residence or accessory appurtenant structure that would not otherwise be allowed under this Program, if all of the following criteria are met:	Same as #20 above, replace ' accessory ' with ' <u>appurtenance</u> ' for accuracy and internal consistency.

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	ECOLOGY DISCUSSION/RATIONALE
	Regulations – Existing Structures	c. Variance Approval Required: Enlargement or expansion of a single-family residence or necessary appurtenant structure that do not meet all of the criteria in part “(a)” above that would extend waterward beyond the existing foundation walls, further into a shoreline buffer or critical area, or that increases the structure height above the limits established by this Program shall require a variance pursuant to Chapter 10 of this Program.	
CHAPTER 7 CRITICAL AREAS WITHIN SHORELINE JURISDICTION			
22.	7.3 General Critical Areas Regulations	8. Land Divisions: Land divisions in critical areas and/or buffers shall meet all of the following conditions and the policies and regulations in Section 3.8 (Residential) of this Program: a. Proposals to create new lots for development shall demonstrate an adequate building envelope (including access and utilities) that is suitable for development and is not within a wetland, aquatic and terrestrial habitat conservation area, floodplain, or landslide hazard area or their buffers. ...	Upon consultation with County staff, omission of this term was an unintended oversight. For internal consistency this list should also include Terrestrial Habitat Conservation Areas. Ecology recommends revision to add ‘and terrestrial’.
23.	7.9 Regulations – Aquatic Habitat Conservation Area Protection Standards	2. New shoreline uses and developments shall be located, designed, constructed, and maintained to avoid impacts on Aquatic HCAs Type F, Np and Ns Waters and their buffers. Impact avoidance measures shall include, but not be limited to, reducing the number, size or scale of buildings, driveways and other features; altering the configuration or layout of the proposed development; using environmentally favorable construction materials; foregoing construction of accessory structures; directing lights away from the water body; preserving native vegetation; and other reasonable measures. 3. New uses and developments may be allowed in Aquatic HCAs Type F, Np and Ns Waters and/or their buffers, as specified in this Program, when all reasonable measures have been taken to avoid adverse impacts on species and habitats; when compensatory mitigation is provided, in accordance with Section 8.3 of this Program, for all adverse impacts that cannot be avoided; and the amount and degree of the alteration are limited to the minimum needed to accomplish the project purpose. 4. The Administrator may impose conditions on any new shoreline uses and developments in Aquatic HCAs Type F, Np and Ns Waters and their buffers as needed to: ...	Overall, Aquatic HCAs are designated & classified at 7.7(1) to include Type S, F, Np & Ns waters, plus TSE aquatic habitat and Critical FW & Saltwater habitats. By only using the Typed waters terms in Regulations #2, 3, and 4 they would not apply to the other classes of Aquatic HCAs. Ecology recommends revision to use the more inclusive term Aquatic HCAs.

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
24.	7.14 Regulations – Geologically Hazardous Areas Protection Standards	10. Channel Migration Zone Protection Standards: ... b. CMZ Checklist and Review. Applicant's that propose new shoreline uses and development in the mapped potential CMZ within the shoreline jurisdiction shall submit a completed CMZ checklist available from the Administrator with their shoreline application. The Administrator will perform and document the results of the following steps to determine whether to require the applicant to prepare a CMZ assessment report: ... ii. Consult maps and related supporting data bases and reports on the location and extent of the potential CMZ that are available to the public; iii. Review whether any significant channel movement has occurred between available County aerial orthophoto data layers since Year 2000 <u>photo series spanning at least 30 years where available</u>; ... c. CMZ Assessment Report. If required by the Administrator, the CMZ assessment report shall be prepared by a geologist, engineering geologist, professional engineer licensed in the state of Washington, or other qualified professional that demonstrates the following: ... ii. The proposed use or development site has minimal risk of channel migration as indicated by the existing channel type, land cover (and low likelihood of future alterations in land cover); surficial geology, low soil erosion potential; lack of evidence of likely avulsion pathways (including areas upstream of, but proximate to, the site); low inundation frequency(ies); whether channel movement has occurred between <u>an</u> aerial photo series spanning at least 30 years where available <u>series spanning at least 30 years where available</u>; and other available information. ...	County suggested revisions to address issues raised by Futurewise comments in Comment Response Summary (Attachment D) Item #100. The County's proposed revision is not necessary for consistency with SMA, but is acceptable. In consultation with County staff, the photo series timeline was corrected from 50- to 30-years; Ecology supports the County's revisions for accuracy.
CHAPTER 8 MITIGATION &>NNL			
25.	8.2 Mitigation & No Net Loss - Policies	3. The County should work cooperatively with shoreline property owners and with other local, state, federal, and Tribal resource management agencies to <u>track new development and redevelopment subject to this Program, violations and remediation of violations of SMP permits issued under this Program, and collect information pertaining to environmental indicators, monitor the effects of development and track gains and losses in ecological functions using a set of specific environmental indicators. The following specific environmental indicators that should be measured tracked on frequent and regular basis</u> at least once every five years and compared to 2012 <u>previous</u> baseline levels	Clarifying edits requested by County staff to better describe the type of data collection anticipated to occur given availability/capacity of staffing resources, new data sets, and permit details. Tracking permits & readily available information is a more reasonably achievable target than the County obligating itself to conducting scientific field surveys to measure on the ground changes in ecological conditions. Ecology supports the change to clarify these actions towards cumulative impacts and no net loss evaluations.

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	ECOLOGY DISCUSSION/RATIONALE
		<u>when data is reasonably obtainable and publically available from either governmental sources, the scientific community or aerial imagery include:</u> a. Percent of mapped feeder bluffs with armoring (percent classified as modified); b. Status of salmon stocks; c. Status of shellfish beds (frequency of closures); d. Length of stream bordered by/confined by levees, excluding setback levees; e. Number of overwater structures per mile of shore and number of overwater structures per mile of sediment transport zone; f. <u>Number Length</u> of <u>shoreline</u> tidal barriers; g. Percent of aquatic area supporting submerged aquatic vegetation (e.g., kelp, eelgrass); h. Percent closed canopy forest within two hundred (200) feet of the ordinary high water mark; i. Percent impervious surface within two hundred (200) feet of the ordinary high water mark; and j. Area of undeveloped floodplains/channel migration zone.	
26.	8.3 Regulations – General Mitigation Requirements	3. The Administrator shall require compensatory mitigation for development proposals that: a. Do not fully conform to one or more of the dimensional requirements, performance standards, and/or design criteria in this Program; or b. Result in measureable damage adverse impacts, loss and/or displacement of <u>shoreline ecological functions including</u> a wetland, aquatic habitat conservation area, terrestrial habitat conservation area, flood storage or conveyance area, or critical aquifer recharge area <u>or geologic and hydraulic processes</u>; or c. Result in measureable damage adverse impacts, loss and/or displacement of kelp beds, eelgrass beds, spawning and holding areas for forage fish, such as herring, smelt and sand lance; subsistence, commercial and recreational shellfish beds; mudflats; intertidal habitats with vascular plants; and areas with which priority species have a primary association.	County suggested revisions to address issues raised by Futurewise comments in Comment Response Summary (Attachment D) Item #103. The County's proposed revision is not necessary for consistency with SMA, but is acceptable. In consultation with County staff, Ecology supports the County's revisions.

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
CHAPTER 10 ADMINISTRATIVE PROCEDURES			
27.	10.2.5 Exemptions from SSDP	11. No statement of exemption is required for emergency development pursuant to WAC173-27-040(2)(d)- <u>but after the fact permitting and/or removal of temporary structures may be required once the emergency situation is over.</u>	WAC 173-27-040(2.d): <i>Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this chapter. Emergency construction does not include development of new permanent protective structures where none previously existed. Where new protective structures are deemed by the administrator to be the appropriate means to address the emergency situation, upon abatement of the emergency situation the new structure shall be removed or any permit which would have been required, absent an emergency, pursuant to chapter 90.58 RCW, these regulations, or the local master program, obtained. All emergency construction shall be consistent with the policies of chapter 90.58 RCW and the local master program. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not an emergency;</i> Ecology recommends revision for clarity & to aid the reader during implementation
CHAPTER 11 DEFINITIONS			
28.	11. Definitions	<u>Many of the terms and concepts used in this Program have definitions established by the SMA (RCW 90.58) or implementing rules (WAC 173-18, -20, -22, -26, and -27). In the event of a conflict between the definitions provided herein and those established by statute and rule, the RCW and WAC definitions shall prevail.</u>	Because many of the definitions provided at SMP 11 are comparable to but not the exact wording of the RCW/WAC version, Ecology recommends adding text to provide context and clarity.
29.	11.A	16. Agricultural land means those specific land areas on which agriculture activities are conducted as of the date of adoption of this Program pursuant to the state guidelines (WAC 173-26) as evidenced by aerial photography or other documentation. After the effective date of the Program, land converted to agricultural use is subject to compliance with the requirements of the Program. 17. Agricultural products means to includes, but is not limited to, horticultural, viticultural, ... poultry and poultry products, and dairy products. WAC 173-26-020. <u>Upland finfish aquaculture use and development is subject to the Aquaculture policies and regulations of this Program.</u>	RCW 90.58.065(2)(b) and (d), and WAC 173-26-020(3)(b) and (d): <i>"Agricultural land" means those specific land areas on which agriculture activities are conducted.</i> <i>"Agricultural products" includes but is not limited to horticultural, viticultural, floricultural, vegetable, fruit, berry, grain, hops, hay, straw, turf, sod, seed, and apiary products; feed or forage for livestock; Christmas trees; hybrid cottonwood and similar hardwood trees grown as crops and harvested within twenty years of planting; and livestock including both the animals themselves and animal products</i>

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
			<i>including but not limited to meat, upland finfish, poultry and poultry products, and dairy products;</i> Regulatory clauses are better presented as separate provisions rather than as part of a definition. As written, the added text at #16 and #17 is not part of the RCW/WAC definitions, and is duplicative of other text at SMP 3.1.2 Agriculture: • Regulation #4 that addresses agriculture existing prior to the adoption date of the Program; and • Regulation #7 that addresses upland finfish aquaculture. Ecology recommends text revisions for improved consistency with RCW 90.58.065.
30.	11.A	25. Aquatic Habitat Conservation Areas means the subset of fish and wildlife habitat conservation areas listed in WAC 395-365 -190-130(24) that occur in the water.	Ecology recommends text revisions for accuracy and consistency with WAC 365-190-130.
31.	11.C	81. Critical freshwater habitats includes critical areas as designated in CCC 27.12 and this Program that are associated with freshwater shorelines, including streams and associated riparian zones, wetlands, aquatic and wildlife habitat conservation areas, and areas with which priority species, as defined by WAC 173-26-020(3129), have a primary association.	Incorrect WAC citation, should be -020(31)
32.	11.D	89. Development or Development Activities means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to this Program at any state of water level. <u>"Development" does not include dismantling or removing structures if there is no other associated development or re-development.</u>	Ecology recommends this revision for added clarity to aid both applicants and practitioners. See also Periodic Review Checklist #2017.b This item also identified by S Gray Feb '19 email re: PR items
33.	11.F	132. Floodway means the area of a river valley that conveys flood waters with reasonable regularity, although not necessarily annually. At a minimum, the floodway is that which has been established in Federal Emergency Management Act flood insurance rate maps or Federal Emergency Management Act floodway maps. <u>The floodway does not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.</u>	Ecology recommends revision for consistency with RCW 90.58.030(2.b): "Floodway" means the area, as identified in a master program, that either: (i) Has been established in federal emergency management agency flood insurance rate maps or floodway maps; or (ii) consists of those portions of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	ECOLOGY DISCUSSION/RATIONALE
			<i>flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition, topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually.</i> <i>Regardless of the method used to identify the floodway, the floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state;</i> See also Periodic Review Checklist #2007.a
34.	11.T	331. Terrestrial Habitat Conservation Areas means the subset of fish and wildlife habitat conservation areas listed in WAC 365 395 -190-130 that occur on land.	Ecology recommends text revisions for accuracy and consistency with WAC 365-190-130.
APPENDICES			
35.	Exhibit A. Shoreline Environment Designation (SED) Maps	Map 2 - Change the reach of Sequim Bay owned by USFWS from Shoreline Residential-Conservancy to Natural.	County suggested revisions to address issues raised by USFWS comments in Comment Response Summary (Attachment D) Item #117. The County's proposed revision is not necessary for consistency with SMA, but is acceptable. In consultation with County staff, Ecology supports the County's revisions.
36.	Exhibit A. SED Maps	Map 2 - Depict USFWS lands similar to other publicly-owned parcels; inquire with USFWS how this block of USFWS owned land should be referenced on the map.	County suggested revisions to address issues raised by USFWS comments in Comment Response Summary (Attachment D) Item #118. The County's proposed revision is not necessary for consistency with SMA, but is acceptable. In consultation with County staff, Ecology supports the County's revisions.
37.	Exhibit A. SED Maps	Map 7 - Evaluate potential options to better distinguish between separate but similar blue lines depicting shorelines and non-SMP streams.	County suggested revisions to address issues raised by USFWS comments in Comment Response Summary (Attachment D) Item #119. The County's proposed revision is not necessary for consistency with SMA, but is acceptable. In consultation with County staff, Ecology supports the County's revisions.

Did these changes happen?

ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CLALLAM COUNTY 10/30/2018 SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION No. 91-2018)

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
38.	Exhibit A. SED Maps	Map 7 - Consider rectifying the green Natural SED boundaries for Dungeness National Wildlife Refuge where the outline of the spit and sand areas shown are based on the 2011 aerial photo. However, the spit is dynamic and the boundary of the sand spit will continue to change over-time.	County suggested revisions to address issues raised by USFWS comments in Comment Response Summary (Attachment D) Item #120. The County's proposed revision is not necessary for consistency with SMA, but is acceptable. In consultation with County staff, Ecology supports the County's revisions.
39.	Exhibit B. Shoreline Checklist & Statement of Exemption Form	Exhibit B Shoreline Checklist & Statement of Exemption Form for Ensuring Consistency with SMP Policies and Regulations and No Net Loss Policy... If the County accepts this deletion, the following changes are also recommended: 8. Mitigation & NNL: Note: ... The County has prepared a draft shoreline restoration plan that will also help improve ecological functions such that there is a net gain overall. The County has also prepared a draft approach and strategy (see Exhibit B) to track the effects of shoreline development on a programmatic scale to ensure that the no net loss requirement is met. 8.2 Policies: 4. The County should use a the checklist <u>application form in Exhibit B</u> to track new development proposals against the list of indicators in Section 8.2.3. Changes in indicators should be tracked and monitored at the shoreline reach and watershed scales. 10.2.5 Exemptions from SSDP: #9. All statements of exemption shall be in writing on forms attached to this Program (Exhibit B). As appropriate, statements of exemptions shall contain conditions and/or mitigating measures of approval to achieve consistency and compliance with the provisions of the Program and RCW 90.58. The granting of a statement of exemption shall constitute a valid authorization to engage in the activity or development.	This Exhibit B checklist exemption form is referenced at three locations in the SMP: 8. Mitigation & NNL 8.2 Policies 10.2.5 Exemptions from SSDP: #9 In consultation with County staff, Ecology recommends removing this form from the SMP to use as a separate companion document/application form so that any future edits to the form do not trigger a formal SMP amendment. Upon its removal, we also recommend the above text edits to eliminate references to it.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

41
5/25/21

Department: BOCC

WORK SESSION ☐ Meeting Date:

REGULAR AGENDA ☒ Meeting Date: 5/25/21

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | | |
|--|--|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☒ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other - Notice |

Documents exempt from public disclosure attached: ☐

Executive summary:

Board of Clallam County Commissioner will consider adopting by Resolution the attached debatable emergencies on May 25, 2021

Debatable emergency – Public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Sheriff – Operations - \$69,981
Sheriff – VRF Boating Program – \$11,250
Department of Community Development – Permit Center – \$55,595
Non Departmental – Opportunity Fund – \$20,000
Parks and Facilities – \$11,139
Parks and Facilities – REET – \$17,000
General Fund Reserves – \$370,000
Health and Human Services – Operations - \$370,000

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Approve the attached Resolution - debatable emergencies.

County Official signature & print name: Morgann Halencak, Deputy Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners

Relevant Departments: All Departments

Date submitted: May 5, 2021

- * Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Budget Debatables 05-25-21
Revised: 3-04-2019

Questions? Call Loni Gores, Clerk of the Board, ext 2256



BUDGET RESOLUTION _____, 2021

ADOPTING BUDGET EMERGENCIES FOR THE DEPARTMENTS/FUNDS LISTED BELOW

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. Pursuant to RCW 36.40.140, after a public hearing on May 25, 2021 the following constitute public emergencies, which could not reasonably have been foreseen at the time of budget preparation:

Sheriff – Operations – Additional funding for salary and benefits for Planner III position moved from DCD – Long Range Planning to Sheriff Operations/\$69,981

Sheriff – VRF Boating Program – Additional funding for unanticipated engine repair costs/\$11,250

Department of Community Development – Permit Center – Additional funding for salary and benefits for added Planner I position (2 of 2)/\$55,595

Non Departmental – Opportunity Fund – Additional funding for the final 2020 Economic Development Council contract invoice not received until 2021/\$20,000

Parks and Facilities – Additional funding for additional expenses related to COVID 19 for goods and services expenditures incurred in April 2021 expected to be reimbursed through FEMA/\$11,139

Parks and Facilities – REET – Additional funding for emergency replacement of commercial jail clothing dryer/\$17,000

General Fund Reserves – Additional funding for Serenity House shelter expansion (1 of 2)/\$370,000

Health and Human Services – Operations – Additional funding for Serenity House shelter expansion (2 of 2)/\$370,000

2. The Budget Director has reviewed the accounting method for the debatable emergencies and approved it by numbering and initialing the attached *Budget Change Forms*.

NOW, THEREFORE, BE IT RESOLVED by the Clallam County Commissioners, in consideration of the above findings of fact:

1. The amount of money required to meet the public emergencies listed above is authorized for expenditure provided that no expenditure is made or liability incurred pursuant to the resolution under RCW 36.40.150 until a period of five days, exclusive of the date this resolution is signed, have elapsed.
2. The Treasurer is authorized and requested to make any necessary transfer of funds in order to affect the Board's intent.

PASSED AND ADOPTED this twenty-fifth day of May 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

Randy Johnson

ATTEST:

Loni Gores, Clerk of the Board

Bill Peach

c: Budget Director
Treasurer
Affected Department

APR 22 2021

CLALLAM COUNTY BUDGET CHANGE FORM



Date Submitted: 4/21/2021 ✓

Budget Hearing/Meeting Date: 5/25/2021 ✓

- **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- X ✓ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	00100.811 ✓	Budget Name	Sheriff - Operations ✓
--------------------------	-------------	-------------	------------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.293 ✓	General Fund Reserves ✓	50800.00.0000 ✓	Ending Fund Balance	69,981
Total				69,981 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.811 ✓	Sheriff - Operations ✓	52110.10.0010 ✓	Regular Time	49,521
00100.811 ✓	Sheriff - Operations ✓	52110.20.0020 ✓	Benefits	20,460
Total				69,981 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION: PERMANENT 9 IS EFFECTIVE

Planner III position moves from DCD-Long Range Planning to Sheriff Operations. This Planner III position move to the Sheriff's Department is permanent as of 4/01/2021. The DCD budget has been reduced in order to provide available funding for this position in the Sheriff Operations budget.

County Official Approval: [Signature]
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

[Signature]

[Signature]

APR 27 2021

CLALLAM COUNTY BUDGET CHANGE FORM



Date Submitted: 04/22/21

Budget Hearing/Meeting Date: 05/25/21

- ☐ **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☒ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- ☐ **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- ☐ **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- ☐ **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	11004.811 ✓	Budget Name	Sheriff - VRF Boating Program ✓
--------------------------	-------------	-------------	---------------------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11004.811 ✓	Sheriff - VRF Boating Program ✓	50800.00.0000 ✓	Ending Fund Balance	11,250
Total				11,250 ✓

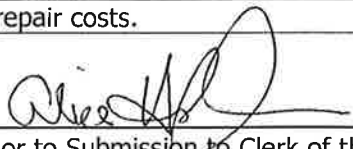
EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11004.811 ✓	Sheriff - VRF Boating Program ✓	52123.48.0040 ✓	Equipment – Repair and Maintenance	11,250
Total				11,250 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

To pay for unanticipated engine repair costs.

County Official Approval: 
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)



APR 21 2021



CLALLAM COUNTY BUDGET CHANGE FORM

Date Submitted: 4-21-2021 ✓

Budget Hearing/Meeting Date: 5-25-2021 ✓

- **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- ☒ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	00100.333	Budget Name	DCD Current Planning - Permit Center
---------------------------------	-----------	--------------------	--------------------------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.293 ✓	General Fund Reserves ✓	50800.00.0000 ✓	Ending Fund Balance	55,595
Total				55,595 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.333	DCD Current Permit Planning Center	55860.10.0010 ✓	Regular Time	37,813
00100.333	DCD Current Permit Planning Center	55860.20.0020 ✓	Benefits	17,782
Total				55,595 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

DCD is removing the Admin. Specialist II position from DCD Admin 00100.331 and adding a Planner I to DCD Permit Center 00100.333. (2 of 2)

County Official Approval: [Signature]
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

[Signature]
48

CLALLAM COUNTY BUDGET CHANGE FORM



Date Submitted: 4/29/2021 ✓

Budget Hearing/Meeting Date: 5/25/2021 ✓

- **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- X **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	19941.291 ✓	Budget Name	NonDept – Opportunity Fund ✓
--------------------------	-------------	-------------	------------------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
19941.291 ✓	NonDept – Opportunity Fund ✓	50800.00.0000 ✓	Ending Fund Balance	20,000
Total				20,000 ✓

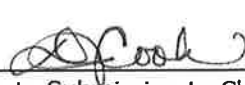
EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
19941.291 ✓	NonDept – Opportunity Fund ✓	55210.41.0113 ✓	Economic Development Council	20,000
Total				20,000 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Additional funds needed to cover the final 2020 Economic Development Council contract invoice not received until 2021.

County Official Approval: 
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)



CLALLAM COUNTY BUDGET CHANGE FORM

RECEIVED
CLALLAM CO. FINANCE

APR 30 2021



Date Submitted: April 30, 2021 ✓

Budget Hearing/Meeting Date: May 25²⁵, 2021

- **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- X ✓ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	00100.911. ✓	Budget Name	Parks & Facilities ✓
---------------------------------	--------------	--------------------	----------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.293 ✓	General-Reserves	50800.00.0000 ✓	Ending Fund Balance	\$11,139
	General Fund			
	Reserves			
Total				\$11,139 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.911.	Parks & Facilities	57680.31.0035 ✓	Cleaning and Sanitation Supplies	\$510
00100.911.	Parks & Facilities	57680.41.1030 ✓	Personnel Services	\$10,629
Total				\$11,139 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

To pay for additional expenses related to the Covid 19 virus event in Clallam County that were paid from the Parks and Facilities budget in 2021. This is to cover the goods and services expenditures incurred in April 2021, and are expected to be reimbursed through FEMA reimbursements.

County Official Approval:

(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

[Signature]

04/30/2021

[Signature]

CLALLAM COUNTY BUDGET CHANGE FORM

RECEIVED
CLALLAM CO. FINANCE

APR 30 2021



Date Submitted: April 30, 2021 ✓

Budget Hearing/Meeting Date: May 25, 2021 ✓

- **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- X ✓ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	30101.911. ✓	Budget Name	Parks and Facilities - REET ✓
---------------------------------	--------------	--------------------	-------------------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
30101.911. ✓	Parks & Facilities - REET ✓	50800.00.0000 ✓	Ending Fund Balance	\$17,000
Total				\$17,000 ✓

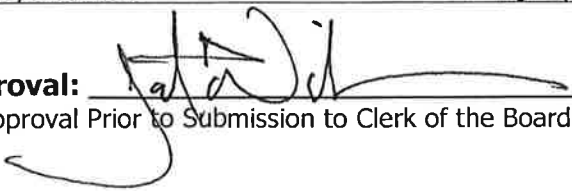
EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
30101.911. ✓	Parks & Facilities - REET ✓	59419.64.2100 ✓	Jail Commercial Dryer	\$17,000
Total				\$17,000 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

To pay for emergency replacement of the commercial sized clothing dryer located in the Jail which is beyond repair.

County Official Approval: 
(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

04/30/2021



CLALLAM COUNTY BUDGET CHANGE FORM



Date Submitted: 5/04/2021 ✓

Budget Hearing/Meeting Date: 5/25/2021 ✓

- **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- X ✓ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	00100.293 ✓	Budget Name	General Fund Reserves ✓
--------------------------	-------------	-------------	-------------------------

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.293 ✓	General Fund Reserves ✓	50800.00.0000 ✓	Ending Fund Balance	370,000
Total				370,000 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
00100.293 ✓	General Fund Reserves ✓	59762.00.0000 ✓	Transfer to Health and Human Services	370,000
Total				370,000 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Funding for Serenity House bathroom improvements relating to the shelter expansion. (1 of 2)

County Official Approval: _____

(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

A handwritten signature in black ink, appearing to be "JFC", located to the right of the County Official Approval line.

CLALLAM COUNTY BUDGET CHANGE FORM



Date Submitted: 5/04/2021 ✓

Budget Hearing/Meeting Date: 5/25/2021 ✓

- **Supplemental Appropriation** – increased expenditures due to unanticipated federal, state, or local funds
- X ✓ **Debatable Emergency** – public emergency other than a non-debatable emergency which could not reasonably have been foreseen at the time of making the budget, requiring the expenditure of money not provided for in the budget.
- **Non-debatable Emergency** – for the relief of a stricken community requiring immediate address; to meet mandatory expenditures required by law
- **Budget Revision** – transfers or reallocations between departments within the same fund, or anytime a reallocation within the same budget would authorize a new permanent position or a new capital purchase
- **Budget Reduction** – a reduction in revenues and/or expenditures

Budget Number xxxxx.xxx.	11301.511 ✓	Budget Name	Health and Human Services - Operations ✓
--------------------------	-------------	-------------	--

REVENUE/SOURCE

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11301.511 ✓	Health and Human Services - Operations ✓	39762.00.0000 ✓	Transfer from General Fund Reserves	370,000
Total				370,000 ✓

EXPENDITURES

BUDGET NUMBER xxxxx.xxx.	DEPT NAME	BARS NUMBER xxxxx.xx.xxxx	ACCOUNT DESCRIPTION	AMOUNT
11301.511 ✓	Health and Human Services - Operations ✓	56210.41.0020 ✓	Professional Services	370,000
Total				370,000 ✓

Revenue/Source and Expenditure totals must agree.

REASON FOR BUDGET ACTION:

Funding for Serenity House bathroom improvements relating to the shelter expansion. (2 of 2)

County Official Approval: _____

(Obtain Budget Office Approval Prior to Submission to Clerk of the Board)

Two handwritten signatures in black ink, one above the other, located in the bottom right corner of the page.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

H2
5/25/21

Department: Finance

WORK SESSION ☐ Meeting Date:

REGULAR AGENDA ☒ Meeting Date: 5/25/21

Item summary:

- | | |
|--|--|
| ☒ Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☒ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

Following the single audit of Clallam County for 2019, the County received a Management Letter from the Office of the Washington State Auditor relating to deficiencies in the County's written procurement policies. While no financial wrongdoing was identified, the SAO identified required language that was missing in County policies. This language relates to the use of federal funding and is required by 2016 changes to the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (known as the Uniform Guidance).

The County must update its procurement policies in order to be in compliance with federal law and to avoid future audit findings from the SAO. The County's procurement policies are set forth in Policy 560 – Purchasing, Bids, Contracts.

The proposed changes in the attached draft of Policy 560 are only the changes that are necessary to come into compliance with federal law. There are many other updates to Policy 560 that could be made to improve workflows for county staff. Those changes will be addressed at a future date. Time is of the essence for the currently proposed changes and an overhaul of the entire policy will be a time consuming process.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Hearing and approval of a Resolution.

County Official signature & print name: Loni Gores Loni Gores, Clerk

Employee/Stakeholder attending meeting: Elizabeth Stanley, Mark Lane, Shoona Riggs

Relevant Departments: Auditor, Finance, PAO

Date submitted: 4/21/2021

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



RESOLUTION _____, 2021

ADOPTING AMENDMENTS TO
POLICY 560 – PURCHASING, BIDDING AND CONTRACTS

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. Formal policies and procedures were developed and implemented in 2004 to ensure accountability in government and consistency of process.
2. Periodic updates are required as government rules and regulations change as well as current practices.
3. The proposed amendments to the policy were posted on the Intranet to allow staff time to review and comment. Prosecuting Attorney's Office reviewed the policy amendments.
4. A public hearing was held May 25, 2021 to solicit testimony.

NOW, THEREFORE, BE IT RESOLVED by the Board of Clallam County Commissioners in consideration of the above findings of fact:

1. The amendments to Policy 560 – Purchasing, Bidding and Contracts are adopted for inclusion in the Clallam County Administrative Policy Manual.

PASSED AND ADOPTED this twenty-fifth day of May, 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

ATTEST:

Randy Johnson

Loni Gores, CMC, Clerk of the Board

Bill Peach

Table of Contents

PURCHASING, BIDS, CONTRACTS Policy 560

.1	PURPOSE	1
.2	GENERAL PROVISIONS	1
2.1	WRITTEN CONTRACTS / WHEN REQUIRED	1
(1)	<i>Written Contract Always Required for Certain Purchases</i>	<i>1</i>
(2)	<i>Written Contract Required for Purchase of Goods Over \$25,000</i>	<i>1</i>
(3)	<i>Written Contract Required For Certain Purchases Over \$7,500.....</i>	<i>2</i>
2.2	CONTRACT TO BE FULLY EXECUTED PRIOR TO PURCHASE.....	2
2.3	OTHER CONSIDERATIONS FOR PURCHASE OF GOODS OR SERVICES.....	2
2.4	SUB-DIVIDING PURCHASE NOT ALLOWED.....	332
.4	CONTRACT AWARD AND EXECUTION (SEE APPENDIX B)	332
4.1	BOARD AWARD AND APPROVAL REQUIRED FOR CERTAIN CONTRACTS.....	332
4.2	ADMINISTRATOR MAY AWARD AND APPROVE CERTAIN CONTRACTS.....	343
4.3	PUBLIC WORKS DIRECTOR/COUNTY ENGINEER MAY APPROVE CERTAIN PURCHASES AND DOCUMENTS.....	343
4.4	COUNTY OFFICIALS MAY APPROVE CERTAIN DOCUMENTS	443
.5	CONTRACT AMENDMENTS.....	4
.7	CONTRACTUAL LANGUAGE.....	554
7.1	CONTRACT ELEMENTS.....	554
7.2	STANDARDIZED CONTRACTS ENCOURAGED	665
7.3	VENDOR CONTRACTS.....	665
7.4	GRANT CONTRACTS.....	675
.8	CONSULTATION WITH THE PROSECUTING ATTORNEY AND APPROVAL AS TO FORM	675
8.1	STANDARDIZED CONTRACTS.....	675
8.2	REVIEW OF NON-STANDARD FORM CONTRACTS AND VENDOR CONTRACTS	775
.10	FEDERAL FUNDS – SUBRECIPIENTS AND VENDORS	776
10.1	SUB RECIPIENTS AND VENDORS.....	776
10.2	CONTRACT REQUIREMENTS FOR SUB RECIPIENTS	776
10.3	TITLE VI CONTRACT REQUIREMENTS.....	887
.15	CONTRACT ADMINISTRATION.....	887
15.1	CONTRACT ADMINISTRATION RESPONSIBILITIES.....	897
15.2	RESPONSIBILITY FOR ADMINISTRATION OF CONTRACTS.....	997
15.3	INDEX AND TRACKING OF CONTRACTS REQUIRED.....	998
15.4	DOCUMENT RETENTION, OFFICIAL FILE, PUBLIC DISCLOSURE	10108
.20	BID PROCEDURES (EXCEPT PUBLIC WORKS PROJECTS)	11119
20.1	FORMAL BIDS REQUIRED FOR PURCHASE OF GOODS IN EXCESS OF \$25,000	11119
(1)	<i>Bid Documents to be Maintained.....</i>	<i>11119</i>

(2) County Official Responsibilities for Formal Bids	11119
(3) Clerk of the Board Responsibilities	121210
20.2 INFORMAL BIDS/QUOTES REQUIRED FOR PURCHASE OF GOODS BETWEEN \$5,000 AND \$25,000	121210
(1) Vendor List to be Maintained	121210
(2) Solicitation of Informal Bids/Quotes	121210
(3) Bid/Quote Documents to be Maintained	141411
(4) List of Purchases Made Using Informal Bids/Quotes to be Published	141411
(5) County Official Responsibilities When Using Informal Bid Procedures	141411
20.3 REQUESTS FOR PROPOSALS/QUALIFICATIONS REQUIRED FOR CERTAIN SERVICES	141411
20.4 INFORMAL PROPOSAL PROCESS REQUIRED FOR SERVICES BETWEEN \$25,000 AND \$75,000	151512
20.5 CERTAIN SERVICES EXEMPT FROM REQUIREMENTS FOR PROPOSALS	151512
20.6 REQUIREMENTS FOR FORMAL AND INFORMAL RFP/RFQ	151512
(1) Proposals and Other Documents to be Maintained	151512
(2) County Official Responsibilities for Requests for Proposals for Services	161613
(3) Clerk of the Board Responsibilities for RFP/RFQ for Services (Formal RFP/RFQ Only)	161613
20.7 REQUIRED TITLE VI NOTICES IN ALL SOLICITATIONS FOR BIDS FOR WORK OR MATERIAL	181814
.30 BID PROCEDURES FOR PUBLIC WORKS PROJECTS	181814
30.1 <u>FORMAL BIDS REQUIRED FOR NON-FEDERAL AWARD FUNDED PUBLIC WORKS PROJECTS OF \$200,000 OR MORE AND FEDERAL AWARD FUNDED PUBLIC WORKS PROJECTS OVER \$150,000</u> FORMAL BIDS REQUIRED FOR PUBLIC WORKS PROJECTS OF \$200,000 OR MORE	181814
(1) Bid Documents to be Maintained	181814
(2) Public Works Director Responsibilities for Formal Public Works Bids	181814
(3) Clerk of the Board Responsibilities	191915
30.2 SMALL WORKS PROCEDURES - PUBLIC WORKS	191915
30.3 REQUIRED TITLE VI NOTICES IN ALL FEDERALLY-FUNDED PROGRAMS	191915
.35 BID CONFIRMATION FORM REQUIRED/PAYMENT VERIFICATION PROCEDURES	202016
.40 SOLE SOURCE PURCHASES	202016
.42 EMERGENCIES	212117
.44 COOPERATIVE PURCHASING	212117
.46 INTERGOVERNMENTAL PURCHASES	232318
.50 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES	232318
.80 FREQUENTLY ASKED QUESTIONS	242419
APPENDIX A WRITTEN CONTRACTS REQUIRED	262621
APPENDIX B APPROVAL OF CONTRACTS	272722
APPENDIX C STANDARDIZED INSURANCE REQUIREMENTS	292924
APPENDIX D	333328
APPENDIX E	353530

APPENDIX F	<u>373732</u>
-------------------------	----------------------

DRAFT

PURCHASING, BIDS, CONTRACTS

.1 PURPOSE

- To convey Board of Clallam County Commissioners approval and delegation policies and procedures consistent with the Clallam County Purchasing Ordinance, CCC 3.12.
- To list necessary contractual language so those contracts are enforceable, legally sound, and contain appropriate wording.
- To achieve uniformity in the process of purchasing and preparing County contracts.
- To ensure that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any County program or activity.

.2 GENERAL PROVISIONS

2.1 Written Contracts / When Required

A written contract may be initiated by the County or by the other party to the agreement. It must be signed by at least one authorized representative from each party. Appendix A contains a table representing requirements for written contracts.

(1) Written Contract Always Required for Certain Purchases

A written contract is always required for the following types of purchases:

- a. All lease or rental agreements for real property
- b. All intergovernmental agreements
- c. All grants to Clallam County
- d. All union labor agreements
- e. All services with the exception of minor services such as repairs, etc where academic credentials or professional expertise are not required.
- f. Cooperative purchasing agreements
- g. Maintenance and licensing agreements (except licenses and/or maintenance agreements for standardized, non-customized, software or hardware)
- h. Other contracts/agreements deemed necessary by the BOCC or offices/departments

(2) Written Contract Required for Purchase of Goods Over \$25,000

A written contract is required for purchase of goods when the purchase by a department of a similar item from a single vendor exceeds \$25,000 per year; or,

when total business by a department with a single vendor for purchase of goods exceeds or is expected to exceed \$25,000 in a calendar year.

(3) Written Contract Required For Certain Purchases Over \$7,500

A written contract is required for the following purchases of more than \$7,500:

- a. Construction projects or "public works" contracts.
- b. Agreements for rental or lease of equipment.

2.2 Contract to be Fully Executed Prior to Purchase

Contracts should be completely executed prior to the start of any activity covered under the contract. Retroactive contracting is discouraged and an explanation must be included in the executive summary submitted during the approval process.

2.3 Conflicts to be avoided

No elected official, employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the elected official, employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The elected officials, officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

Employees, elected officials, officers and agents of the County shall avoid conflicts of interests in the award and administration of all contracts. Failure to do so shall render the related contract null and void, and will result in disciplinary actions being taken by the County up to and including termination. Individuals may also be subject to other civil or criminal liability or penalty as available to the County to pursue under law;

2.43 Other Considerations for Purchase of Goods or Services

Prior to making a purchase for the acquisition of goods or services, County Officials are responsible to:

- a. Ensure that the purchase of goods or services is in accordance with the Clallam County Code, this policy, and any applicable grant requirements.
- b. Determine that funding is available in the appropriate budget and, if not submit the required budget change documents prior to the purchase.
- c. If a contract spans more than one calendar year, consider the impact on future budgets and include a non-appropriation clause. The standardized contract contains a non-appropriation clause that can be used on other contracts as well.

2.54 Sub-dividing Purchase Not Allowed

County Officials are not allowed to sub-divide purchases that otherwise would require either a bidding process and/or a written contract in order to avoid those processes. Examples might include 1) purchasing equipment in one month and the installation of the equipment in another month. 2) Purchasing a piece of equipment in one purchase then purchasing accessories or add on parts in another purchase, etc.

4 CONTRACT AWARD AND EXECUTION (SEE APPENDIX B)

4.1 Board Award and Approval Required for Certain Contracts

- a. All contracts requiring budgeted expenditures in excess of \$50,000 in the current calendar year.
- b. All contracts that span more than one calendar year and require budgeted expenditures in excess of \$25,000 per year, unless a non-appropriation clause is included in the contract.
- c. All contracts that will require a budget emergency or supplement not previously approved.
- d. All union labor agreements.
- e. All real property transactions (acquisitions and disposals).
- f. Any other contract or agreement which by statute must be approved by the governing body of the County.
- g. Any other contract not specifically authorized by the BOCC for other approval.

4.2 Administrator may Award and Approve Certain Contracts

Contracts not required to be approved by the Board may be awarded and approved by the Administrator. Contracts on the small works roster are included in these dollar limits.

4.3 Public Works Director/County Engineer may Approve Certain Purchases and Documents

The following contracts under \$35,000 may be approved by the Public Works Director or County Engineer if funds for the project are previously approved in the budget. Such contracts must be indexed and approved by the Prosecuting Attorney's Office in accordance with this policy.

- a. Contracts awarded as a result of the small works procedures contained in this policy
- b. Small construction improvement projects or consultant agreements
- c. Architectural services agreements using the County's standard form agreement

Purchase of Goods – The Public Works Director may delegate authority to approve purchase of goods from the ER&R Fund, the REET Fund, or the Capital Outlay Fund that do not require a formal bid or a formal contract. The Public Works Department may approve payment for purchase of fuel and payment for utility services. Purchase of oil products for road maintenance from the state bid or interlocal agreement may be approved by department personnel.

4.4 County Officials may Approve Certain Documents

Vendor agreements such as work orders, work requests, etc. for commonly used minor services such as repairs where academic credentials or professional expertise are not required, in an amount less than \$10,000 may be approved by the County Official. Purchase of goods less than \$10,000 may be approved by the County Official. County Officials may approve the County's personal services agreements in an amount less than \$10,000. County Officials may not approve other formal contracts that contain a liability clause or intergovernmental agreements no matter the dollar amount.

In order to be eligible for approval by the County Official, the purchase must be made within the current calendar year and funds for the purchase have been previously allocated in the budget. The County Official is responsible to comply with any applicable bidding requirements, capital budgetary restrictions, review by the Prosecuting Attorney if required, and contract indexing. Approval for any purchase that requires informal or formal bidding under this policy may not be delegated by the County Official to a subordinate other than their designated acting in their absence (charter exempt in the case of elected officials).

.5 CONTRACT AMENDMENTS

Amendments (change orders, addendum) will be in writing and signed by both parties. Amendments cannot alter the nature of the project or change its scope beyond what a reasonable bidder would consider a modification, as opposed to a different project. Specific cases should be reviewed with the Prosecuting Attorney to determine whether the proposed changes require an amendment or a new contract. Expired contracts may not be amended. In cases where the County anticipates additions to the scope of work as more funding becomes available, bid specifications (if required) and the original contract's scope of work should so state. The following rules govern the approval of amendments, and change orders:

- a. Contracts approved by the Administrator may be amended by the Administrator.
- b. Contracts approved by the Board must be amended by the BOCC, except that, the Board may authorize approval of amendments by the Administrator.

- c. Change orders and addendums on Public Works construction projects may be approved by the County Engineer, Public Works Director, or Administrator.
- d. Change orders and addendums on projects under the supervision of the Parks, Fairs, and Facilities Department may be approved by the Parks, Fairs, and Facilities Director or the Administrator.

.7 CONTRACTUAL LANGUAGE

This section is intended to ensure that a contract includes certain contract language so that the contract is enforceable, legally sound, and contains appropriate wording. It will also serve to highlight the difference between "form" and "substance."

7.1 Contract Elements

The contract elements listed below are generally required in all contracts. Exceptions may be approved by the Prosecuting Attorney's Office.

- a. Contract title
- b. Name, address, phone, and fax numbers of all parties
- c. County's authorized representative
- d. Contractor's legal entity type
- e. Purpose, scope of the contract, or scope of work
- f. Term or duration of the contract
- g. Compensation and payment terms
- h. Provisions for modifications and changes
- i. Provisions for contract termination
- j. Provisions for remedies if there is a violation or breach of contract terms
- k. Clause describing dispute resolution
- l. Non-discrimination language
- m. Insurance, liability, indemnification language

In addition to the above, for those contracts funded through Federal awards, the following additional contractual provisions are required to be included:

- a. For contracts over \$10,000, provisions to address termination for cause and for convenience by the County.
- b. Provision requiring compliance with the Equal Employment Opportunity as amended by Executive Order 11375.
- c. For prime construction contracts over \$2,000, provision requiring compliance with the Davis-Bacon Act (40 U.S.C 3141-3148) as supplemented by Department of Labor regulations, including requiring contractors to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor and not less than once per week. Also provision requiring contractor compliance with the Copeland "Anti-Kickback" Act as supplemented by Department of Labor regulations.
- d. For contracts over \$100,000 that involve the employment of mechanics or laborers, provisions requiring compliance with the Contract Work Hours and Safety Standards Act (40 U.S.C 3701-3708).

- e. For Federal awards meeting the definition of a "funding agreement", contracts with a small business firm or nonprofit organization that allow substitution of parties, assignment or performance of experimental, developmental or research work under the funding agreement, provisions are to be included requiring compliance with the Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Governmental Grants, Contracts and Cooperative Agreements (37 CFR Part 4010).
- f. For Contracts in excess of \$150,000, provisions requiring compliance with the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C 1251-1387).
- g. Provisions requiring compliance with mandatory standards and policies relating to energy efficiency outlined by the state of Washington's energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6201)
- h. Provisions requiring contractor representation that it is compliance with Federal Debarment and Suspension requirements.
- i. For contracts over \$100,000, provisions requiring contractor compliance with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352);

[LANGUAGE ABOVE TAKEN FROM APPENDIX II OF PART 200]

7.2 Standardized Contracts Encouraged

Standard form contracts are maintained by the County for Personal/Professional Services and for Architectural/Engineering Services. These contracts have been pre-approved as to form by the Prosecuting Attorney. The Prosecuting Attorney's Office will review standardized contracts at least biannually.

When a County department initiates a contract, a standardized contract will be used whenever possible. Standardized Contracts are maintained on the County's Intranet.

7.3 Vendor Contracts

A vendor/contractor may provide the County with a written pre-printed contract document. Common vendor supplied contracts include purchase agreements, maintenance and licensing agreements, and work orders. Vendor contracts must be reviewed by the prosecuting attorney prior to approval.

7.4 Grant Contracts

Contract language required by the conditions of a private, federal or state grant will be included. Grant contracts must be reviewed by the prosecuting attorney prior to approval.

.8 CONSULTATION WITH THE PROSECUTING ATTORNEY AND APPROVAL AS TO FORM

8.1 Standardized Contracts

Contracts using pre-approved forms are not required to be reviewed for form by the Prosecuting Attorney's Office prior to the solicitation for bids or prior to executing the contract as long as no changes have been made to the standardized language and insurance requirements have been applied at, or above, the matrix contained in Appendix C. Departments are encouraged to consult the Prosecuting Attorney's Office for assistance on complex or unfamiliar scope of work or compensation sections. Commonly used pre-approved contract forms are located on the County's Intranet site.

8.2 Review of Non-Standard Form Contracts and Vendor Contracts

Written contracts not using an approved Standardized Form must be reviewed by the Prosecuting Attorney's Office prior to the approval of the contract, except that, contracts for repairs to be completed as part of an emergency declaration do not require Prosecutor review if the review is not able to be accomplished in a timely manner. In addition, service orders or work orders for minor services where academic credentials or professional expertise are not required in an amount under \$7,500, and purchase orders for purchase of goods less than \$25,000 do not require prosecutorial review. If these documents contain an indemnity clause or liability clause it must still be reviewed by the prosecutor.

.10 FEDERAL FUNDS – SUBRECIPIENTS AND VENDORS

10.1 Sub recipients and Vendors

The County Official in the department responsible for the contract is responsible to ensure that awards and/or payments are not made to any party who is debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs. Prior to signing a contract with a sub recipient or vendor the County Official responsible for administration of the contract is responsible to ensure that sub recipients or vendors are eligible to receive federal funds.

10.2 Contract Requirements for Sub recipients

When the County contracts with a sub recipient who distributes federal funds, the sub-recipient is subject to the Single Audit Act. Contracts with sub recipients will include the language addressing the following:

- a. The secondary recipient of the federal funds should be referred to in the contract as a "sub recipient" once it is determined that they are a sub recipient, not a vendor.
- b. Single Audit requirements should be defined for sub recipients:
 - A requirement that the sub-recipient comply with the Single Audit Act of 1984 as amended.
 - A requirement that the sub recipient permits independent auditors access to its financial records.

- A requirement that the sub recipient maintain accounting records that will enable identification of all federal funds received and expended by catalog of federal domestic assistance number (CFDA#).
- A requirement that if a Single Audit is required, a copy of the audit report is submitted to the County, within the time limit set forth in the Single Audit act.
- A requirement that if a Single Audit is not required, the County is allowed to perform a fiscal review of the sub recipient's financial records.
- A requirement that if a sub recipient is debarred or suspended from participation in federal programs during the contract period, the contract is voided.
- A requirement that the sub recipient check the "List of Parties Excluded From Federal Procurement and Non-procurement Programs," prior to awarding sub-grants or contracts.

10.3 Title VI Contract Requirements

- a. Appendix D shall be included in every contract subject to Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) the Act and the applicable implementing Regulations.
- b. Appendix E shall be included, , as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
- c. The appropriate clauses set forth in Appendix F shall be included, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under a Federal Aid Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under a Federal Aid Program.

.15 CONTRACT ADMINISTRATION

Contract administration is the process by which the County, acting through one or more of its officials or staff, assures performance of contractual obligations. This encompasses all activity by the County and the contractor from the time the contract is awarded until the time the contract work has been completed and accepted, payment is made, all disputes resolved, and the contract has been formally closed out.

15.1 Contract Administration Responsibilities

Contract administration may include, but is not limited to, the following functions:

- a. Ensuring required insurance or other required documents are obtained and documented prior to commencement of work, and maintained throughout the term of the contract.

- b. Making payments to contractors according to the terms of the contract.
- c. Providing interpretations of terms and conditions of the contract to the contractor.
- d. Giving technical direction and assistance to contractors.
- e. Inspecting and accepting work performed by contractors.
- f. Preparing modifications to contracts.
- g. Reviewing certain proposed subcontracts if contract terms require such reviews.
- h. Terminating contracts for cause, convenience or default.
- i. Maintaining a contract file.
- j. Closing out the contract when it is completed.
- k. Providing assistance in the event of an audit.

15.2 Responsibility for Administration of Contracts

The County Official initiating the contract is responsible for the administration of the contract. Each contract will be assigned a contract officer by the initiating department who, on behalf of the County, will be responsible for coordinating the applicable contract management activities listed above for the assigned contract(s).

15.3 Index and Tracking of Contracts Required

The County maintains a contract tracking and indexing system designed to ensure that a centralized record of each contract is maintained where County Officials can monitor contract expiration, compliance and other issues. County Officials are responsible to ensure that the contract index is completed properly, accurately reflects the department's contracts, and is maintained during the life of the contract. Indexes are maintained on the County intranet.

All written contracts approved by the Board, the Administrator, or a County Official must be indexed and reflect the index number on the contract document. Amendments, change orders, or supplements that change compensation and/or the term of the contract must be indexed using the number of the original contract followed by a sequential "amendment" number in the next field. Amendments, change orders, and supplements may be indexed using a new number but must reflect a reference to the original contract number.

Unless otherwise approved by the Administrator, a unique identifying number will be assigned by the County Official responsible for the contract, to each new contract in the following form: the three digit budget identifier assigned to the budget from which the funds are allocated, followed by the two digit year of the contract execution date, followed by a sequence number of up to five characters that may include any combination of numbers and letters assigned by the department which will uniquely identify the contract within the initiating department or office. For example, the first contract written in Human Resources for 2017 could be assigned the number 461.17.01. In order to provide for proper tracking, the identifying number will be written on the upper right of each contract, amendment, or change order.

15.4 Document Retention, Official File, Public Disclosure

The official contract file including either an original signed contract or a copy of the signed contract and all documents associated with the contract will be maintained by the initiating department. Any destruction of these records will be in accordance with approved retention schedules in the appropriate department. Requests for public disclosure of contracts and related documents will be referred to the initiating department. Documents associated with a contract would include but not be limited to: vendor list printout, written/phone quotation form, bid specifications, bid quotations, RFP's, contract proposals, activity reports, requests for reimbursement, and any other documents made or received by the County in connection with the contract or agreement.

An original contract and any approved amendments are retained by the Clerk of the Board. The Commissioners Office file does not include supporting documents and is not considered the official file.

DRAFT

If, due to the dollar amount, the purchasing transaction does not require a written contract in accordance with the Contracting Policy, all documents leading up to the purchase/expenditure may be attached to the original payment voucher. The original payment voucher is retained by the Auditor's office.

.20 BID PROCEDURES (EXCEPT PUBLIC WORKS PROJECTS)

20.1 Formal Bids Required for Purchase of Goods in Excess of \$25,000

In accordance with CCC 3.12, formal bids are required for purchases in excess of \$25,000. In addition, certain purchases require formal bidding in accordance with RCW. County Officials are responsible to have knowledge of those purchases required to comply with formal bid procedures.

(1) Bid Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contracts, and other documents related to any purchase made using formal bid procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(2) County Official Responsibilities for Formal Bids

The County Official responsible for the purchase is responsible for the following:

- a. ~~a.~~ Preparation of Specifications - Specifications should be detailed. If the County anticipates that the contract period, the quantity of items to be purchased and/or the scope of work may be modified or increased, the specifications should so state.
- b. Preparation of an independent cost or price analysis for any purchase of goods over \$150,000 to be funded with Federal awards, with such analysis to be completed prior to receiving of bids.
- cb. Preparation of Call for Bids - The Call for Bids form is available on the County intranet. Bid responses must be received by the Clerk of the Board, not the department. Bids must be received by the Clerk of the Board no later than 10AM on the date of bid opening. Arrival at any other County office or location is not acceptable. Bids must arrive sealed and must be clearly marked on the outside as stated in the Call for Bid. The bid opening date is scheduled for a regular meeting of the Board and must be a minimum of 14 days after the Call for Bids is approved by the Board. A longer period for response is acceptable.
- de. Preparation of Bid Response Form or Documents.
- ed. Submission of Documents to the Board for work session and regular agenda in accordance with Policy 120.
- fe. Payment for the cost of advertising and/or call for bids in the County's legal newspaper.

- gf. Publication of the call for bids, other than that required in the County's legal newspaper, and payment for such.
- hg. Distribution of specifications and/or response packets to prospective bidders.
- ih. Pre-bid meeting if appropriate.
- ji. Evaluation of bid responses after bid opening and recommendation for award to the Board or Administrator as appropriate.
- kj. Notification to bidders of the award.
- lk. Preparation of a written contract including any required review, recording in the County's contract index, and submittal for approval.
- ml. Completion and submittal of the Bid Confirmation Form.
- nm. Administration of the contract per this policy.
- on. Establishment and maintenance of official contract file including bid specifications, responses, contract, and other related documents.

(3) Clerk of the Board Responsibilities

- a. Publication of the call for bids as required by law.
- b. Accepting and securing bid responses.
- c. Ensuring full execution of the contract once approved by the County.
- d. Distribution and filing of fully executed contract.

20.2 Informal Bids/Quotes Required for Purchase of Goods between \$5,000 and \$25,000

In accordance with CCC 3.12, purchases where the purchase price is between \$5,000 and \$25,000 require that informal bids be solicited prior to the purchase.

(1) Vendor List to be Maintained

A categorized list of vendors shall be maintained in accordance with the requirements of applicable RCW's and CCC 3.12 by the Clerk of the Board. The Clerk of the Board shall advertise in January and July in the County's legal newspaper, the existence of the list and solicit vendors to be included. Vendors may submit required data to the County and be added to the list at any time. The County's vendor list shall be published on the County's Internet site. The Clerk of the Board will establish forms and procedures for maintaining the list.

(2) Solicitation of Informal Bids/Quotes

Solicitation of informal bids may be made in person or by mail, telephone, fax, or e-mail. Responses must be in writing and may be fax, e-mail, or may be pages from published catalogs, published advertisements, or other written documents. Any solicitation must include at least 3 vendors, if available, from the County's Vendor List. Vendors not on the County's Vendor list may be solicited in addition.

DRAFT

(3) Bid/Quote Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contacts, and other documents related to any purchase made using informal bid procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(4) List of Purchases Made Using Informal Bids/Quotes to be Published

The Auditor is responsible to publish and post, at least every 2 months, a listing of all purchases made using informal bidding procedures. The list will contain at a minimum, the vendor name, a brief description of the item(s) purchased, the amount of the purchase, the date, and the department that made the purchase and possesses the official file. The list may be published on the County's internet site and posted on the public bulletin board in the Courthouse.

(5) County Official Responsibilities When Using Informal Bid Procedures

The County Official responsible for the purchase is responsible for the following:

- a. Preparation of Specifications - Specifications should be detailed. If the County anticipates that the contract period, the quantity of items to be purchased, and/or the scope of work may be modified or increased, the specifications should so state.
- b. Solicitation to vendors in accordance with this policy.
- c. Evaluation of bid responses and award to the lowest bidder as defined in this policy.
- d. Preparation of a written contract if required, including any required review, recording in the County's contract index, and submittal for approval.
- e. Completion and submittal of the Bid Confirmation Form.
- f. Administration of the purchase/contract per this policy.
- g. Establishment and maintenance of official purchase/contract file including bid specifications, responses, contract, and other related documents.

20.3 Requests for Proposals/Qualifications Required for Certain Services

Except as exempted below, acquisition of services, anticipated to be in an amount exceeding \$75,000, require a formal request for proposals or qualifications (RFP/RFQ). In addition, certain services may require an RFP/RFQ by statute, grant, or other requirements. County Officials are required to have knowledge of those services requiring non-standard purchasing procedures.

20.4 Informal Proposal Process Required for Services between \$25,000 and \$75,000

Services expected to cost between \$25,000 and \$75,000 require an informal proposal process to be followed. County Officials are responsible to solicit at least 3 providers to make informal, written proposals. Section 20.2 (2) and (3) apply. If the department chooses to advertise the RFP/RFQ, costs are the responsibility of the department. Proposals shall be returned to the department requesting the informal proposal process. Proposals must be evaluated by the initiating department and the service awarded based on criteria including but not limited to, the proposal that best meets the County's needs, qualifications, and price.

Departments may use the informal proposal process to solicit proposals for services under \$25,000 when they believe the process would result in a broader response and/or better quality proposal.

20.5 Certain Services Exempt from Requirements for Proposals

Certain services are exempt from the bidding or RFP/RFQ procedures required under this section unless otherwise required by statute. They include:

- a. Attorney Services, including indigent defense
- b. Insurance Services, including bonding
- c. Tourism promotional services
- d. Services of the Economic Development Council
- e. Architects and professional engineers
- f. Registered surveyors
- g. Expert witnesses for litigations or potential litigation
- h. Medical professionals including but not limited to doctors, psychiatrists, and psychologists
- i. County fair entertainment
- j. Training for County employees

20.6 Requirements for Formal and Informal RFP/RFQ

(1) Proposals and Other Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contacts, and other documents related to any services acquired using these procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(2) County Official Responsibilities for Requests for Proposals for Services

The County Official responsible for the acquisition of services is responsible for the following:

- a. Preparation of Specifications/Scope of Work/Qualification of Vendors - Specifications should be detailed. If the County anticipates that the contract period and/or the scope of work may be modified or increased, the specifications should so state.
- b. Preparation of an independent cost or price analysis for any purchase of services over \$150,000 to be funded with Federal awards, with such analysis to be completed prior to receiving of bids.
- c. Preparation of RFP/RFQ - The RFP/RFQ form is available on the County intranet. Responses must be received by the Clerk of the Board, not the department. Proposals must be received by the Clerk of the Board no later than 10AM on the date of scheduled opening. Arrival at any other County office or location is not acceptable. Proposals must arrive sealed and must be clearly marked on the outside as stated in the RFP/RFQ. The proposal opening date is scheduled for a regular meeting of the Board and must be a minimum of 14 days after the RFP/RFQ is approved by the Board. A longer period for response is acceptable.
- de. Preparation of RFP/RFQ Response Form or documents.
- ed. Submission of documents to the Board for work session and regular agenda in accordance with Policy 120.
- fe. Payment for the cost of advertising the RFP/RFQ in the County's legal newspaper.
- gf. Publication, other than that required in the County's legal newspaper, and payment for such.
- hg. Distribution of specifications and/or response packets to prospective bidders.
- ih. Pre-proposal meeting if appropriate.
- ji. Evaluation of responses after proposal opening and recommendation for award to the Board or Administrator as appropriate.
- kj. Notification to proposers of the award.
- lk. Preparation of a written contract including any required review, recording in the County's contract index, and submittal for approval.
- ml. Completion and submittal of the Bid Confirmation Form.
- nm. Administration of the contract per this policy.
- on. Establishment and maintenance of official contract file including proposal specifications, responses, contract, and other related documents.

(3) Clerk of the Board Responsibilities for RFP/RFQ for Services (Formal RFP/RFQ Only)

- a. Publication of the RFP/RFQ as required by law.
- b. Accepting and securing responses.

- c. Ensuring full execution of the contract once approved by the County.
- d. Distribution and filing of fully executed contract.

DRAFT

20.7 Required Title VI Notices in all solicitations for bids for work or material.

In accordance with the County's Title VI Plan, all solicitations for bids for work or material shall include the following notice:

"Clallam County hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award."

.30 BID PROCEDURES FOR PUBLIC WORKS PROJECTS

30.1 Formal Bids Required for [Non-Federal Award Funded Public Works Projects of \\$200,000 or More](#) [and Federal Award Funded Public Works Projects over \\$150,000](#)

In accordance with CCC 3.12, formal bids are required for [non-Federal award funded Public Works projects of an estimated value of \\$200,000 or more](#). In addition, public works projects require formal bidding in accordance with RCW and the Standard Specifications for Road, Bridge, and Municipal Construction [and for Federal award funded Public Works Projects of an estimated value over \\$150,000](#). County Officials in departments requiring such services are responsible to have knowledge of those services required and comply with formal bid procedures.

(1) Bid Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contacts, and other documents related to any contracted project made using formal bid procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(2) Public Works Director Responsibilities for Formal Public Works Bids

The Public Works Director is responsible for the following:

- a. Preparation of Specifications - Specifications should be detailed and as per the Standard Specifications for Road, Bridge and Municipal Construction where required. If the County anticipates that the contract period, the quantity of items to be purchased and/or the scope of work may be modified or increased, the specifications should so state.
- b. [Preparation of an independent cost or price analysis for any purchase of goods and/or services over \\$150,000 to be funded with Federal awards, with such analysis to be completed prior to receiving of bids.](#)
- c. Preparation of Call for Bids - The Call for Bids form is available on the County intranet. Bid responses must be received by the Clerk of the Board, not the department. Bids must be received by the Clerk of the Board no later than

10 a.m., or other time as determined by the Clerk of the Board, on the date of bid opening. Delivery to or arrival at any other County office or location is not considered receipt by the Clerk of the Board. Bids must arrive sealed and must be clearly marked on the outside as stated in the Call for Bid. The bid opening date is scheduled for a regular meeting of the Board to allow for publications to occur once each week for two consecutive weeks prior to bid opening. A longer period for response is acceptable and is required by certain grant funding sources.

- c. Preparation of Bid Response Form or Documents.
- d. Submission of Documents to the Board for work session and regular agenda in accordance with Policy 120.
- e. Payment for the cost of advertising and/or call for bids.
- f. Publication of the Call for Bids in other than that required in the County's legal newspaper and payment of such publication.
- g. Distribution of specifications and/or response packets to prospective bidders.
- h. Pre-bid meeting if appropriate.
- i. Evaluation of bid responses after bid opening and recommendation for award to the Board or Administrator as appropriate.
- j. Notification to bidders of the award.
- k. Preparation of a written contract including any required review, recording in the County's contract index, and submittal for approval.
- l. Completion and submittal of the Bid Confirmation Form or pre-approved Bid Tabulation Form.
- m. Administration of the contract in accordance with this policy, per the project specifications and any requirements set by a grant funding source.
- n. Establishment and maintenance of official contract file including bid specifications, responses, contract, and other related documents.

(3) Clerk of the Board Responsibilities

- a. Publishing of the Call for Bids as required by Statute.
- b. Accepting and securing bid responses.
- c. Ensuring full execution of the contract once approved by the County.
- d. Distribution and filing of fully executed contract.

30.2 Small Works Procedures - Public Works

Procedures for Small Works Projects, including the Small Works Roster shall be in accordance with RCW 39.04 and CCC 3.12. Responses to bids for Small Works Projects may be received by the Public Works Department.

30.3 Required Title VI Notices in all Federally-Funded programs.

In accordance with the County's Title VI Plan, all solicitations for bids for work or material in all federally-funded programs shall include the following notice in all solicitations for work or material:

"Clallam County, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award."

.35 BID CONFIRMATION FORM REQUIRED/PAYMENT VERIFICATION PROCEDURES

Any purchase of goods or services, including any Public Works project, that requires a formal bid, informal quotes, small works procedures, or an RFP/RFQ requires the completion of the "Bid Confirmation Form" or other approved form. The Bid Confirmation Form is located on the County's Intranet site. The form must be completed by the department responsible for the bid process. The form must contain information from all responders to the bid process.

In any case where a written contract is required, the form must be submitted to the Board, Administrator, or Public Works Director/County Engineer as the case may be, as part of the request to award the bid/contract.

In lieu of providing an actual copy of the contract with the payment voucher as required by CCC 3.12.050, the bid confirmation form must be submitted with the first voucher for payment submitted to Auditor's accounts payable. The form is used by the Auditor's accounts payable to verify that the bid process has been accomplished and to include in reporting of contracts awarded under the informal bid process. The contract number will be noted on subsequent vouchers. In situations where a written contract is required but bidding is not required, the contract number will be noted on each voucher.

.40 SOLE SOURCE PURCHASES

Solicitation of formal bids, informal bids/quotes, and/or an RFP/RFQ may be dispensed with where the purchases are clearly and legitimately limited to a single source of supply or which involve special facilities or market conditions. Terms may be established by direct negotiation. Sole source is not intended to limit a purchase to a particular brand or vendor unless no other brand/vendor is able to supply goods or services that meet specifications of a business nature required by the county. Used materials, supplies or equipment may be purchased using this section.

County Officials requesting approval of a purchase as sole source are required to complete and submit a "Sole Source Purchase Request" form. The form will be approved prior to the request.

In the case of purchase of goods or services that otherwise would require a formal bid or request for proposals, the form must be submitted and approved by the Board of Commissioners. In the case of purchases that otherwise would require informal bid/quote, the Administrator may approve the form. The form must then be submitted, with the voucher for payment, to the Auditor's accounts payable.

The approval of a purchase of goods or services as sole source does not alter contract requirements.

.42 EMERGENCIES

An emergency means unforeseen circumstances beyond the control of the County that either:

- a. Present a real, immediate threat to the proper performance of essential functions.
- b. Will likely result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken.

If an emergency exists, the Board of Commissioners may declare an emergency and award all necessary contracts for purchases or public works on behalf of the County to address the emergency without complying with any of the other provisions of this chapter. In situations requiring an immediate declaration of emergency, the County Administrator may, after making a reasonable attempt to contact each available Commissioner, declare the existence of an emergency.

If the County Administrator is unavailable, the Public Works Director, Sheriff, Prosecuting Attorney, Public Health Officer, or Director of the Department of Community Development, in that order, may, after making a reasonable effort to contact each available Commissioner, declare such emergency.

All emergencies declared by other than the Board of Commissioners shall be presented to the Board of Commissioners at their next regular meeting for consideration of ratification.

If a contract is awarded under the authority of this section, a written finding of the existence of the emergency shall be made by the County Official and filed in the records of that official's office or department no later than two (2) weeks following the award of the contract.

Any contract entered into under these emergency provisions shall contain provisions allowing the County to terminate the contract for convenience or because of the conclusion of the emergency. The contract termination provisions shall provide that the County shall pay to the contractor only that portion of the contract price corresponding to work completed to the County's satisfaction prior to termination, together with costs necessarily incurred by the contractor in terminating the remaining portion of the work, less any payments previously made.

.44 COOPERATIVE PURCHASING

The County and its departments are encouraged to join with other units of local, state, or federal government in cooperative purchasing plans pursuant to RCW 39.34 or any other authorizing statute to the extent permitted by state law.

Cooperative purchasing agreements shall provide that each of the participating units of government shall be separately invoiced by the vendors or service providers for purchases made under such plans and that the County shall not be obligated for any purchases other than those required for its own use and supplied pursuant to the request of the County.

DRAFT

.46 INTERGOVERNMENTAL PURCHASES

Purchases or services may be obtained from local, state, or federal entities (including but not limited to the state bid contracts and GSA contracts) upon direct negotiation without complying with bidding requirements in this policy.

.50 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the County. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the County's Title VI Specialist for review and action.

In order to have the complaint consideration under this procedure, the complainant must file the complaint no later than 180 days after:

- a. The date of alleged act of discrimination; or
- b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the County or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the County, the person shall be interviewed by the Title VI Specialist. If necessary, the Title VI Specialist will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the County's investigative procedures set forth in Administrative Policy 235.

Within 10 days, the Title VI Specialist will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as WSDOT and USDOT.

The County will advise WSDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to WSDOT:

- a. Name, address, and phone number of the complainant.
- b. Name(s) and address(es) of alleged discriminating official(s).
- c. Basis of complaint (i.e., race, color, national origin or sex)
- d. Date of alleged discriminatory act(s).
- e. Date of complaint received by the County.

- f. A statement of the complaint.
- g. Other agencies (state, local or Federal) where the complaint has been filed.
- h. An explanation of the actions the County has taken or proposed to resolve the issue raised in the complaint.
- i. Within 60 days, the Title VI Specialist will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the County Administrator. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
- j. Within 90 days of receipt of the complaint, the head of the County will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with WSDOT, or USDOT, if they are dissatisfied with the final decision rendered by the County. The Title VI Specialist will also provide WSDOT with a copy of this decision and summary of findings upon completion of the investigation.
- k. Contacts for the different Title VI administrative jurisdictions are as follows:

Washington State Department of Transportation
Office of Equal Opportunity, Title VI Program
PO Box 47314
Olympia, WA 98466
360.705.7098

Federal Highway Administration
Washington Division Office
711 Capitol Way South, Suite 501
Olympia, WA 98501
360.534.9325

.80 FREQUENTLY ASKED QUESTIONS

The questions and answers below are intended to guide employees in topics where questions are often asked. This is not intended to be an all-inclusive list of issues, topics, or answers. The information provided below is enforceable as a part of this policy.

- ***Can an Elected Official or Department Head (County Official) sign a contract?***

County Officials are authorized to sign vendor supplied documents such as work orders and work requests commonly used for minor services such as repairs in an amount less than \$10,000. In addition, purchase orders and purchase agreements for goods in an amount less than \$10,000 may be signed by the County Official. The limitations include installation, tax and shipping. To be eligible for approval by the County Official, funds for the purchase must have been previously allocated in the budget, and the purchase must be made in the current year's budget. County Officials may approve the County's personal services agreements in an amount less than \$10,000. County Officials may not approve other formal contracts that contain liability clauses or intergovernmental agreements.

Vendor documents approved by County Officials still require indexing and, if appropriate, prosecutor review. Bidding is also required, if applicable. A complete contract file with all associated documents must exist in the approving department. Approval for any purchase that requires bidding under this policy may not be delegated by the County Official to a subordinate other than their designated acting in their absence (charter exempt in the case of elected officials).

- ***Can a vendor contract form be used instead of a County contract?***

Yes, but when the contract is for the provision of services, the County standard personal services contract contains language required by the Prosecuting Attorney that may not be in a vendor's standard contract. For minor services such as repairs and for purchase of goods, many vendors use standard forms commonly called a service orders, service requests, work orders, or purchase orders.

- ***Does the Prosecuting Attorney need to approve "all" written contracts?***

No. Pre-approved contracts for various services including personal services contract, contract for training, fair vendor contracts, and others exist and do not need prosecutor's review if no changes have been made to the general or special conditions and the standardized insurance provisions have been followed (See Appendix C). For minor services such as repairs and purchase of goods, many vendors use a standard form commonly called a service order, service request, work order, or purchase order. These forms may be used and do not require prosecutorial review unless they contain an indemnity clause or liability clause. The appropriate official approving the form, should, however, read the form and if a question arises, consult the Prosecuting Attorney's Office before signing. Other vendor contracts or County contracts not previously approved require prosecutor review.

APPENDIX A
WRITTEN CONTRACTS REQUIRED

Type of Purchase	Written Contract Required
1. ALL: -Rental Agreements for Real Property -Intergovernmental Agreements -Grant Agreements -Union/Labor Agreements -Cooperative Purchase Agreements -Personal or Professional Services -Maintenance and Licensing Agreements	YES
2. Purchases of goods over \$25,000:	YES
3. Certain purchases over \$7,500: -Equipment leases or rentals -Repairs of fixed assets	YES
4. Purchase of goods less than \$25,000	NO
5. Repairs of fixed assets under \$10,000	NO

APPENDIX B

APPROVAL OF CONTRACTS

Type of Contract	Approval
1. All multi-year expenditure contracts exceeding \$25,000 unless a non-appropriation clause is included in the contract. (sec 4.1)	BOCC approves and awards
2. All union labor agreements. (sec 4.1)	BOCC approves and awards
3. Real property transactions. (sec 4.1)	BOCC approves and awards
4. Any agreement requiring a budget emergency or supplement not previously approved by the Board. (sec 4.1)	BOCC approves and awards
5. Any other contract or agreement which by statute must be approved by the governing body of the County. (sec 4.1)	BOCC approves and awards
6. All expenditure or revenue contracts more than \$50,000 per year. (sec 4.1)	BOCC approves and awards
7. Certain contracts \$50,000 or less per year. (sec 4.2)	Administrator approves and awards.
8. Small Works project contracts under \$35,000 (sec 4.3)	Public Works Director/County Engineer approves.

9. Vendor supplied work orders for services under \$10,000 or purchase orders for purchase of goods under 10,000. Certain conditions apply. (sec 4.4)

County Official Approves

DRAFT

APPENDIX C

STANDARDIZED INSURANCE REQUIREMENTS

Type of Coverage	When Required	Occurrence Limit	Aggregate Limit
Professional Legal Liability	If contractor is a licensed professional including but not limited to the following: - Accountants - Architects - Attorneys - Contractors - Engineers - R/E Appraisers - R/E Brokers - Surveyors - Sanitarians	See Table Below	Not Applicable
Workers' Compensation	Statutory	Not Applicable	Not Applicable
Commercial General Liability	If there is contact with the public.	1. If less than \$25,000, the limit is \$500,000. 2. If between \$25,000 and \$1,000,000, the limit is \$1,000,000. 3. If between \$1,000,000 and \$5,000,000, the limit is \$2,000,000. 4. If greater than \$5,000,000 the limit is set by Risk Management Division.	1. If less than \$25,000, the limit is \$1,000,000. 2. If between \$25,000 and \$1,000,000, the limit is \$2,000,000. 3. If between \$1,000,000 and \$5,000,000 the limit is \$5,000,000. 5. If greater than \$5,000,000 the limit is set by Risk Management Division.

Type of Coverage	When Required	Occurrence Limit	Aggregate Limit
Automobile Liability	If driving is involved and contract is less than \$25,000.	\$100,000 each accident combined bodily injury and property damage.	\$300,000.
Business Automobile Liability	If driving is involved and contract is greater than \$25,000.	\$1,000,000 each accident combined bodily injury and property damage.	Not Applicable

Appendix C (Continued)

PROFESSIONAL LIABILITY INSURANCE LIMIT SCHEDULE	
PROFESSIONS:	PROFESSIONAL LIABILITY
Accountants	\$1,000,000
Architects	1,000,000
Attorneys	1,000,000
Contractors	1,000,000
Counselors	250,000
Dietitians	100,000
Embalmer	1,000,000
Engineers	1,000,000
Escrow Agent	1,000,000
Fire Sprinkler System Contractors	1,000,000
Landscape Architects	250,000
Nutritionists	250,000
Private Detectives	500,000
Process Servers	250,000
Psychologists	1,000,000
Real Estate Appraiser	1,000,000
Real Estate Brokers	1,000,000
Surveyors	1,000,000
Veterinarians	1,000,000
HEALTH CARE	Medical Malpractice
Dental Hygienist	1,000,000
Dentists	1,000,000
Emergency Medical Technician	1,000,000
Nurses	1,000,000
Osteopaths	2,000,000
Pharmacists	1,000,000
Physical Therapist	1,000,000
Physicians	2,000,000
Sanitarians	1,000,000
Sex Offender Treatment Providers	1,000,000
TRADES	Errors & Omissions
Auctioneers	100,000

PROFESSIONAL LIABILITY INSURANCE LIMIT SCHEDULE	
Plumbers	500,000
Security Guards	100,000
Water Well Contractor/Operator	100,000

DRAFT

APPENDIX D

During the performance of this contract, the contractor/consultant, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations

The contractor shall comply with the Regulations relative to non-discrimination in federally assisted programs of United States Department of Transportation (USDOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination

The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Sub-contracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a sub-contract, including procurement of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, sex, or national origin.

4. Information and Reports

The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the contracting agency or the appropriate federal agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to WSDOT or the USDOT as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Non-compliance

In the event of the contractor's non-compliance with the non-discrimination provisions of this contract, the contracting agency shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to:

- Withholding of payments to the contractor under the contract until the contractor complies, and/or;
- Cancellation, termination, or suspension of the contract, in whole or in part

6. Incorporation of Provisions

The contractor shall include the provisions of paragraphs (1) through (5) in every sub-contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any sub-contractor or procurement as the contracting agency or USDOT may direct as a means of enforcing such provisions including sanctions for non-compliance.

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the contractor may request WSDOT enter into such litigation to protect the interests of the state and, in addition, the contractor may request the USDOT enter into such litigation to protect the interests of the United States.

APPENDIX E

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

1. GRANTING CLAUSE

NOW THEREFORE, Department of Transportation, as authorized by law, and upon the condition that the state of Washington will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the United States Department of Transportation and, also in accordance with an in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, the Department of Transportation WSDOT (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252: 42 USC 2000d to 2000d - 4) does hereby remise, release, quitclaim, and convey unto the state of Washington all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

2. HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interests therein unto the state of Washington, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which the federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and shall be binding on the state of Washington, its successors, and assigns.

The state of Washington, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (,)(and)* (2) that the state of Washington, shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination of federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above mentioned non-discrimination conditions, the department shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and

become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.¹

DRAFT

¹ Reverter Clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX F

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by (County) pursuant to the provisions of Assurance 8.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose of which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease has never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Washington State Department of Transportation pursuant to the provisions of Assurance 8.

The LESSEE, or himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.