



**COMMISSION  
AGENDA MEMORANDUM**

**Item No.** 8g

**ACTION ITEM**

**Date of Meeting** February 9, 2021

**DATE:** January 8, 2021

**TO:** Stephen P. Metruck, Executive Director

**FROM:** Sandra Kilroy, Director, Maritime Environment & Sustainability  
Kathleen Hurley, Sr. Environmental Program Manager

**SUBJECT: Request to Authorize Revised Interlocal Agreement Smith Cove Blue Carbon Monitoring Study**

**Amount of this request:** 0 \$

**Total estimated project cost:** 250,000 \$

**ACTION REQUESTED**

Request authorization for the Executive Director to enter into a revised Interlocal Agreement between the Washington State Department of Natural Resources and the Port of Seattle for monitoring of the Smith Cove Blue Carbon Pilot Project.

**EXECUTIVE SUMMARY**

The Smith Cove Blue Carbon Monitoring Study requires Interlocal Agreements (ILAs) with the Washington State Department of Ecology (Ecology) and the Washington State Department of Natural Resources (DNR). The ILA's will support data collection, analysis, reporting, public outreach, and community-based science activities. Both ILAs were approved by Commission in draft form in April 2020. The Ecology ILA was subsequently executed with only minor changes approved by counsel. The DNR ILA, however, has been revised to accommodate several edits requested by DNR, including one substantive change that requires additional Commission approval.

The Smith Cove Blue Carbon Pilot Project was included in the 2018 Maritime Division expense budget. This project will contribute to the scientific body of work on "blue carbon", specifically the carbon sequestration potential of kelp, eelgrass, and oysters; furthermore, the project expands our understanding for restoration of these critical habitats in Central Puget Sound. The Smith Cove Blue Carbon Pilot Project includes habitat restoration elements that will be evaluated for carbon sequestration, water quality (specifically seawater acidification) benefits, and habitat productivity. These elements include bull kelp, eelgrass and Olympia oyster beds installed between 2018-2021. The ILA with DNR will support the ongoing monitoring of the project, including collection of pH data, shellfish survival rates, and other data for three years. This also includes a community-based science plan to allow for participation in the Smith Cove study by members of the Port's neighboring communities.

Meeting Date: February 9, 2021

**JUSTIFICATION**

The authorization of the ILA with DNR is needed to undertake the required monitoring and evaluation measurements as set out in the Smith Cove Blue Carbon three-year monitoring plan.

***Diversity in Contracting***

The Diversity in Contracting procurement process was included in the prior Commission action in April 2020.

**DETAILS**

All of the changes are minor or clarifying in nature. The only substantive change is the deletion of the following phrase from the indemnity clause: “In the event that the Port incurs any judgment, award, and/or cost arising there from, including attorneys’ fees, to enforce the provisions of this Article, all such fees, expenses, and costs shall be recoverable from DNR to the extent of DNR’s culpability.” In the revised draft, DNR is still obligated to defend and indemnify the Port from damages resulting from negligent acts or omissions by its officers, employees, or agents. There are no changes related to the scope of work, schedule or cost of the project from the proposal approved by Commission in April.

***Scope of Work***

The scope of work was included in the prior Commission action (April 14, 2020).

***Schedule***

The project includes a three-year monitoring study which will begin in Spring 2021. There is no design or construction included with this initiative.

***Cost Breakdown***

The monitoring study will require approximately \$250,000 to complete. As described in the memo for the original Commission authorization (April 14, 2020).

**ALTERNATIVES AND IMPLICATIONS CONSIDERED**

An alternatives analysis was included in the prior Commission action (April 14, 2020).

**FINANCIAL IMPLICATIONS**

Financial implications were included in the prior Commission action (April 14, 2020.)

***Annual Budget Status and Source of Funds***

Funding for the three-year monitoring study was authorized by Commission as part of the Energy & Sustainability Committee funding authorization.

**ATTACHMENTS TO THIS REQUEST**

- (1) Commission Memo (April 14, 2020)
- (2) Presentation slides

Meeting Date: February 9, 2021

- (3) Revised Interlocal Agreement with Washington State Department of Natural Resources

**PREVIOUS COMMISSION ACTIONS OR BRIEFINGS**

April 14, 2020 – The Commission authorized the Executive Director to enter into draft ILAs with Washington State Department of Natural Resources and Department of Ecology.