

091-13-PSC

**Makah Tribal Council and Washington State Department of Ecology Stream Gage
Funding Agreement**

Water Services Investigations

THIS AGREEMENT is entered into by and between the Makah Tribe, party of the first, and the Washington State Department of Ecology, party of the second part. This is a fixed cost agreement

1. PARTIES ADDRESS AND TELEPHONE

Makah Tribe
Makah Fisheries Department-Habitat Division
P.O. Box 115
Neah Bay, WA 98357
(360) 640-4811
Contact: Kim Clark

Washington State Department of Ecology
P.O. Box 47710
Olympia, WA 98504-7710
(360)-407-6686
Contact: Brad Hopkins

2. The Makah Tribe and Washington State Department of Ecology parties agree that the Department of Ecology(ECY) shall re-activate, maintain and operate two river gages near Clallam Bay, WA with a set price agreement. Both the Clallam River and Sekiu River gages will be also be updated with telemetry equipment and operated for 12 months by the Department of Ecology, Aquatics Division.

3. The following is the cost of the necessary field and analytical work directly related to the re-activation of each of the two gages and upgraded with telemetry. Cost is per gage, for 12 operating months.

- (a) \$12,000 Clallam River gage October 1, 2013-September 30, 2014.
- (b) \$12,000 Sekiu River gage October 1, 2013-September 30, 2014.

These costs include a continuous gage, equipment and installation of standalone wet transducer and real-time telemetry. Annual Ecology Stream Gaging Operation and Maintenance Cost includes, flow measurements, station maintenance, and data management. A detailed description of cost allocation is in Appendix A.

4. The amount above shall be paid out by the Makah Tribe from budget 32-6720-7002 to cover the Department of Ecology's (ECY) cost of operating, maintaining and the re-activation of the 2 gages for a period of 12 months.

5. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by authorized representatives. The methods employed in the field and office shall be those adopted by the Washington State Department of Ecology (WDOE) and ensure the required standards of accuracy subject to modification by mutual agreement. Procedures will use the existing WDOE QAPP authorized by EPA staff to ensure meeting EPA standards.

6. The Department of Ecology will assume responsibility to continue to measure discharge, manage the data, and develop and maintain the rating curves. Data for both stations would be posted in near real-time to the internet via Ecology's webpage.

7. The original records resulting from this program will be deposited and retained in the office of origin of those records (Department of Ecology). Maps, data, records, or reports resulting from this program shall be made available to the public as promptly as possible.


8. The Washington State Department of Ecology should submit semi-annual bills per individual gage to the Makah Tribal Council for the Sekiu and Clallam Stream gages.


9. FACSIMILE SIGNATURE

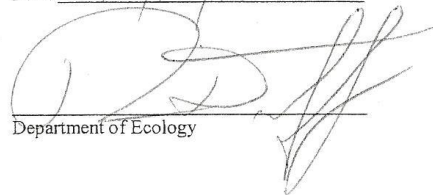
The parties agree that, signatures on an electronic facsimile of this document shall be considered legally by all parties. Signatures on original documents shall be subsequently provided at the earliest convenience of the parties.

Date: 10/28/13

Date: 10/31/13


Department Head


General Manager

Date: 10/15/13

Department of Ecology

^{budget manager}
Gary Koshi - (360) 407-7222

APPENDIX A

The O&M costs to operate one of these gages are as follows

	Ciallam River Gage	Sekiu River Gage
Salaries	\$ 4,982	\$ 4,982
Benefits	\$ 1,558	\$ 1,558
Indirect @ 32.25%	\$ 2,109	\$ 2,109
Supplies and Travel	<u>\$ 3,351</u>	<u>\$ 3,351</u>
Total	\$12,000	\$12,000

Grand total for both gages, each operating for a 12 month period: \$24,000

Ecology will provide the following equipment;

Near Real-time Data Collection Platforms that will transmit on a 1-3 hr cycle rate

Ecology will not be responsible for the replacement of this stream gaging equipment if the equipment is damaged or destroyed by high water events.

Ecology would continue to provide the following O&M support to the project:

- 1) Periodic download of data loggers
- 2) Advanced problem troubleshooting and equipment replacement advice
- 3) Flow Measurement on approximate 6 week schedule
- 4) Data management
 - a. Rating curve development/Updating
 - b. QA/QC review
 - c. Summary report
- 5) Posting near real-time data to the Web

Ecology supports these activities as part of a mutual agreement between the Makah Tribe and Ecology's Freshwater Monitoring Unit which is currently funded through the Northwest Indian Fisheries Commission (NWIFC).