

**MEMORANDUM OF AGREEMENT
BETWEEN NISQUALLY INDIAN TRIBE, CITY OF OLYMPIA AND CITY OF
LACEY REGARDING 2020 FUNDING FOR THE WRIA 11 WATERSHED
PLANNING**

THIS MEMORANDUM OF AGREEMENT ("Agreement") is made and entered into this 10th day of November, 2020 by and between the Nisqually Indian Tribe, a federally recognized Indian tribe; the City of Olympia, a Washington municipal corporation; and the City of Lacey, a Washington municipal corporation; collectively referred to herein as the "Parties."

WHEREAS, in 2000 the Parties signed "Memorandum of Agreement Watershed Planning Nisqually WRIA", which authorized the formation of the Nisqually WRIA 11 Planning Unit ("Planning Unit") and designated the Nisqually Indian Tribe as the Lead Agency for convening the Planning Unit, administering Planning Unit grant funds, facilitating meetings of the Planning Unit, and providing and contracting for services.

WHEREAS, the Parties participated as members of the Planning Unit that developed the *Nisqually Watershed Management Plan* (2003) that was adopted by Thurston, Pierce and Lewis Counties in 2004; **and**

WHEREAS, in 2004 the Parties signed "Memorandum of Agreement Watershed Plan Implementation Nisqually WRIA 11", and continued the watershed planning work initiated by the Planning Unit and completed the *Phase IV Nisqually Implementation Plan for Watershed Management in WRIA 11* (2007); **and**

WHEREAS, in 2008 Olympia signed "Memorandum of Agreement Between the City of Olympia, Washington and the Nisqually Tribe" that included the formation of a Nisqually watershed stewardship coalition; **and**

WHEREAS, the formation of a stewardship coalition is included in both cities' water rights mitigation plans that were approved by the Washington Department of Ecology in 2011; **and**

WHEREAS, the Planning Unit was reconvened in 2018 as required under RCW 90.94, and using grant funds available from the Department of Ecology for this purpose, completed the *Addendum to the Nisqually Watershed Management Plan* ("Addendum", 2019) which was approved by Order of Ecology in January 2019; **and**

WHEREAS, members of the Planning Unit desire to continue implementation of the Nisqually Watershed Management Plan and its Addendum and are initiating an agreement to provide sustainable funding for the Planning Unit into the future, but need a funding source to support these efforts through 2020 until a more permanent implementation agreement is in place; **and**

WHEREAS, The Planning Unit's activities are consistent with many core functions envisioned for the watershed stewardship coalition as included in both cities' Washington

Department of Ecology approved Water Rights Mitigation Plans; **and**

NOW THEREFORE, the Parties agree as follows:

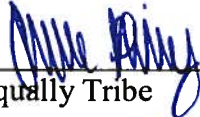
The Parties agree to contribute funds for supporting administrative, facilitation and contract services for the Planning Unit in 2020.

1. The Parties shall collectively provide \$41,000, under the following distribution:

Lacey and Olympia will each provide \$10,000; and the Nisqually Indian Tribe will provide the remaining \$21,000.
2. The Nisqually Indian Tribe shall be the recipient and administrator of funds received from Olympia and Lacey. These funds shall be used solely to support Planning Unit work efforts to be conducted by the Nisqually River Foundation.
3. Under this agreement, the Nisqually River Foundation will assist the Parties to accomplish the following work tasks:
 - a. Monitoring progress on the implementation of the Nisqually Watershed Plan and its 2019 Addendum.
 - b. Meeting reporting requirements of the 2019 Addendum.
 - c. Coordinating and reviewing grant applications related to the plan implementation.
 - d. Developing a long-term strategy to ensure full implementation of the Nisqually Watershed Plan and its 2019 Addendum.
4. Work tasks described in Item 3 funded under this Agreement may occur from January 1, 2020 through December 31, 2020. By January 31, 2021, the Nisqually Indian Tribe will provide to the Cities of Olympia and Lacey a written summary of Item 3 work task activities and expenses that were funded under this Agreement. Unexpected funds may be carried over to 2021 provided that funds continue to be used for Item 3 activities.
5. No amendment of or modification to this Agreement shall be deemed valid unless in writing and signed by all Parties.
6. Each of the signatories hereto has authority to enter into this Agreement on behalf of the Party represented.

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Agreement as of the date and year written above.

NISQUALLY INDIAN TRIBE



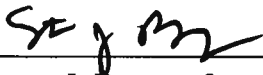
Nisqually Tribe

Date: 10-27-2020

APPROVED AS TO FORM:

Tribal Attorney

CITY OF OLYMPIA



Steven J. Burney, ~~Interim~~ City Manager

Date: 11/16/20

APPROVED AS TO FORM:

Via Email 11-13-2020

Deputy City Attorney

CITY OF LACEY



Scott Spence, City Manager

Date: 11/18/2020

APPROVED AS TO FORM:



City Attorney