



Item No: 9G_Supp
Date of Meeting: August 2, 2022

3-Organization Vote for MOU with NMFS, ILAs for Shared Liaison Position and ILA with WPPA and Certain Member Ports

Presenter:
Tony Warfield
Senior Manager, Environmental and Planning Services

Actions Requested

- 1) Request Managing Members of The Northwest Seaport Alliance (NWSA) authorization for the Chief Executive Officer or their delegate to enter into a Memorandum of Agreement (MOA) with the National Marine Fisheries Service (NMFS) for up to two liaison positions.
- 2) **DUAL ACTION VOTE**: Request Port of Seattle Commission authorization for the Executive Director or their delegate to enter an ILA with NWSA and the Port of Tacoma for a NMFS liaison position.
- 3) **DUAL ACTION VOTE**: Request Port of Tacoma Commission authorization for the Executive Director or their delegate to enter an ILA with NWSA and the Port of Seattle for a NMFS liaison position.
- 4) Request NWSA Managing Member authorization for the CEO or their delegate to enter an ILA with Port of Seattle and the Port of Tacoma for a NMFS liaison position.
- 5) Request Managing Members of NWSA authorization for the Chief Executive Officer or their delegate to enter an Interlocal Agreement (ILA) with the Washington State Public Ports Association (WPPA) and certain member ports for the hiring, management and full reimbursement of a NMFS Liaison Position.



Background

- First POT/NMFS liaison agreement 2001
- Same staff person for ~18 years
- Became very efficient and proficient
 - Informal Consultations generally a few weeks, formal generally several months
 - Last few years of her tenure also supported other WPPA member ports (hourly cost recovery)
 - Retired Fall 2020



Background

- Teamed with WPPA and eight other ports to fund and hire position held at WPPA
- Staff person was excellent, but resigned after six months
- WPPA is not set up to support such a position either technically or managerially



Agreements Structure

- **NWSA/NMFS MOA for up to two positions with NMFS**
 - One for homeports and NWSA projects (NWSA employee)
 - The other for certain other WPPA member ports (NWSA employee)
- **POS/POT/NWSA ILA**
 - Position held by NWSA
 - Cost split 30% Tacoma, 30% Seattle, 40% NWSA
 - Cost splits to be verified for 2024 budget year
- **NWSA/WPPA/Certain member ports ILA**
 - NWSA reimbursed at 100% of costs up-front + 20% Management Fee (annually)
 - NWSA does not set work priorities
 - NWSA & homeports can buy back time from second liaison if capacity exists



Financial Implications

- **Source of Funds :**

- First liaison position: Operating income by each of the three entities
- Second liaison position will be funded by the other entities and will provide an estimated \$30,000 in expense reduction to the NWSA.
- Both headcount will be in the NWSA

- **Financial Impact:**

- Estimated to be \$150,000, with the POT and POS each taking 30% or \$45,000 each and the NWSA taking the remaining 40% or \$60,000.
- The cost of the second Liaison Position for the other ports is estimated to cost \$150,000 to them plus the NWSA will charge an extra 20% (\$30,000) to provide management for this position, for a total cost of \$180,000. The cost of the NMFS liaison for the other ports will be covered by those other ports. The \$30,000 will reduce existing NWSA costs.



Alternatives Considered and Their Implications

- **No Action Alternative:** Don't hire liaisons have projects reviewed in the order received.
 - Pros: Save the cost of one staff position, ~ \$150,000 per year.
 - Cons: Project review would continue to be unacceptably slow.
- **Hire only homeport/NWSA liaison:** Hire one liaison dedicated to homeport and NWSA projects.
 - Pros: Administratively simply. One less staff position to manage. Decrease management time spent working with other ports.
 - Cons: Does not support other ports. Reduces potential resources to NMFS to improve ESA Consultation services. Increase risk of NWSA liaison becoming overwhelmed or having no service during a vacancy.
- **Recommended Action:** Approve each MOA/ILA to hire one liaison for the homeports and NWSA and one liaison with 120% reimbursement for certain other Washington ports.



Environmental Impacts / Review

- **Permitting:** This effort will provide substantial benefit to the permitting process for both homeports and the NWSA.
- **Remediation:** NA
- **Stormwater:** NA
- **Air Quality:** NA



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