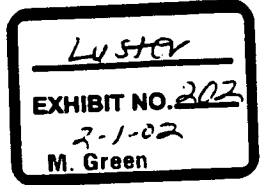


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SHORELANDS AND ENVIRONMENTAL ASSISTANCE PROGRAM

November 25, 1998



TO: Al Jacobs

THROUGH: Gordon White

FROM: Paula Ehlers *pe*

SUBJECT: Recommendation for Reclassification of Tom Luster

The purpose of this memorandum is to request that you approve the recommendation to reclassify Tom Luster from an Environmental Specialist 4 to an Environmental Specialist 5. This reclassification is included in the SEA Program Human Resource Management Plan approved by Dan Silver. In support of this request, I have attached:

- A Personnel Action Form (PAF) for the requested action
- An updated Classification Questionnaire for Tom;
- An Assessment of Observed Job Performance Form; and
- Program Manager Designation Form.

Tom has been assuming ES-5 level duties over the past year since the departure of Maria Peeler in September, 1997 (ESB Pos. # 2947). With her departure, Tom took on many of the 401 Unit lead duties such as serving as the agency lead on policy and technical issues related to 401/CZMA. Tom is the lead 401 project specialist for the state's most controversial and significant projects, and he serves as the coordinating and training lead for the 401 staff statewide. Tom now routinely performs these higher level duties with a high degree of skill and confidence.

I believe the information contained in the attached materials leads to several general conclusions:

- The duties associated with this position reflect the duties of an Environmental Specialist 5. The position description includes "...Serves as senior expert to the Shorelands and Environmental Assistance Program and Department of Ecology on technical and policy issues related to Section 401 of the federal Clean Water Act (CWA), Coastal Zone Management Act (CZMA) consistency determinations...develops policy prepared rules and guidelines, and acts as technical lead for legislative initiatives".

- Tom Luster has been performing these duties for at least a year. As noted in the attached Classification Questionnaire, Tom has been performing the specified duties for a least one year. During that time period, he has been a valuable member of the Department of Ecology.
- Tom Luster meets the minimum qualifications for an Environmental Specialist 5. Based on the information contained in Tom's personnel file, I believe that he meets the minimum qualifications for an Environmental Specialist 5. Specifically, he has a Master's degree in Geography and over 10 years of experience with Ecology as at least an Environmental Specialist 2. He has been a ES 4 for at least 2 years.
- Funds are available to cover the increased salary and benefit costs. I have reviewed the Section's budget and propose to cover the increased salary and benefit costs from the downgrading of Position # 2947 (ESB to an ES3). This should result in a cost-neutral scenario for the program.

In conclusion, I believe that the position and Tom Luster should be reclassified to the Environmental Specialist 5 level. Both reflect the level of experience, expertise and responsibility consistent with that classification. If you have questions regarding this request, I can be reached at 7-6976.

Cc: Tom Luster

AR 018528

CLASSIFICATION QUESTIONNAIRE SHADED AREAS ARE COMPLETED BY DEPARTMENT OF PERSONNEL			1. AGENCY NAME Ecology	2. POSITION NO. 2289
3. EMPLOYEE'S NAME (Last, First, Initial) uster, Thomas R.		PHONE NO. 407-6918	4. SUBMITTED BY <input checked="" type="checkbox"/> AGENCY <input type="checkbox"/> EMPLOYEE	5. POSITION ACTION NO.
6. DIVISION/INSTITUTION/SECTION/UNIT SEA Program		MAIL STOP 7600	7. SUBMITTED FOR <input type="checkbox"/> UPDATE <input checked="" type="checkbox"/> REALLOCATION <input type="checkbox"/> ESTABLISHMENT <input type="checkbox"/> OTHER	
8. IMMEDIATE SUPERVISOR'S NAME Paula Ehlers		PHONE NO. 407-6907	IMMEDIATE SUPERVISOR'S CLASS TITLE Environmental Supervisor XX?	
9. PRESENT CLASS TITLE Environmental Specialist 4		CLASS CODE	PROPOSED CLASS TITLE Environmental Specialist 5	CLASS CODE
10. WORKING TITLE (if different than class title)				
11. EMPLOYMENT, With Dept. YEARS MONTHS 9 2		WITH PRESENT DUTIES YEARS MONTHS 2 5	12. HRS OF WORK M-F, 8-5	
13. LOCATION OF EMPLOYMENT 300 Desmond Drive SE, Lacey, WA				
22. % OF TIME <input type="checkbox"/> DY <input type="checkbox"/> WK <input type="checkbox"/> MO <input checked="" type="checkbox"/> YR		23. EMPLOYEE'S STATEMENT OF DUTIES READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING THIS SECTION. LIST THOSE DUTIES WHICH OCCUPY MOST OF YOUR TIME. UNDERLINE YOUR MOST RESPONSIBLE DUTY.		
30%		<p>SUMMARY: Serves as senior expert to the Shorelands and Environmental Assistance Program and the Department of Ecology on technical and policy issues related to Section 401 of the federal Clean Water Act (CWA), Coastal Zone Management Act (CZMA) Consistency Determinations, and coordinated state responses under Executive Order (E.O.) 81-18. Position provides technical and regulatory guidance on proposed projects that require federal permits and involve work in state waters, including wetlands. Position develops policy, prepares rules and guidelines, and acts as technical lead for legislative initiatives. Position requires comprehensive knowledge of state and federal permit requirements, and the ability to facilitate and negotiate with public officials, the regulated community, tribes, citizen groups, and staff of Ecology and other agencies to ensure that state aquatic resource protection regulations are met.</p> <p>TYPICAL DUTIES:</p> <p><u>401/CZMA Policy/Technical Lead -- External:</u> Represents the agency as lead policy/technical advisor and legislative liaison on issues related to 401/CZMA. Provides extensive coordination and negotiation with local, state, and federal agencies, tribes, various interest groups, and the public on developing and implementing rules, guidelines, policies, legislative actions, and permit conditions related to the 401/CZMA permit program.</p>		
30%		<p><u>401/CZMA Policy/Technical Lead -- Internal:</u> Serves as agency's lead advisor providing oversight and coordination for management and regional and HQ permit reviewers on a wide range of projects requiring federal permits, including Corps of Engineers CWA and Rivers and Harbors Act permits, U.S. Coast Guard permits, and others. Ensures that Ecology staff consistently review, analyze, and coordinate concerns of state resource agencies, tribes, and the public on proposed projects, and condition projects as necessary to ensure that the full range of state aquatic protection regulations are met. Provides technical assistance to staff and applicants on proposed project designs and permit conditions.</p>		
25%		<p><u>Project Management:</u> Acts as Ecology lead staff/project manager on complex or controversial projects that require the above-referenced permits. Determines project compliance with state environmental regulations and prepares the final state position and necessary conditions on these projects under Section 401 of the CWA, E.O. 81-18, and the U.S. Fish and Wildlife Coordination Act, and prepares state response on CZMA consistency. Also conducts independent complex inspections at project sites, including monitoring of project performance and compliance with permit conditions.</p>		
10%		<p><u>Training:</u> Provides training to Ecology staff, staff of other resource agencies and tribes, and to the public on state and federal aquatic regulation processes and requirements.</p>		
5%		<p>Other duties as required.</p>		

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(Attach additional sheets if necessary)

<input type="checkbox"/> Original Copy for the Department of Personnel	<input type="checkbox"/> Copy for Agency Headquarters Personnel Office	<input type="checkbox"/> Copy for Field Office of Originator	<input type="checkbox"/> Copy for Employee	<input type="checkbox"/> Copy for Direct Mail to the Department of Personnel
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EMPLOYEE'S STATEMENT (Cont'd.)

24. EMPLOYEES WITHIN THE AGENCY WHOSE DUTIES ARE THE SAME (Name) A. B. C.	CLASSIFICATION TITLE	WORKING TITLE
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25. UNITS SUPERVISED (if applicable), NO. OF EMPLOYEES IN EACH, ALSO ATTACH 8-1/2" x 11" ORGANIZATION CHART

26. SUBORDINATE EMPLOYEES REPORTING DIRECTLY TO THIS POSITION-HIGHEST PAY RANGE FIRST.

NAME OR NUMBER A. B. C. D.	CLASSIFICATION TITLE	WORKING TITLE
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E. (Number) ADDITIONAL EMPLOYEES REPORTING DIRECTLY TO THIS POSITION

27. OFFICE MACHINES, EQUIPMENT, TOOLS, MOTOR VEHICLES, ETC. OPERATED ON JOB, PERCENT OF TIME

Use of computer equipment (40%), motor vehicles (15%)

28. ADDITIONAL COMPENSATION (ROOM, BOARD, LAUNDRY, CLOTHES, ETC.) RECEIVED IN ADDITION TO CASH SALARY

ATTEST THAT THE STATEMENTS CONTAINED HEREIN ARE MY OWN AND ARE ACCURATE AND COMPLETE	29. SIGNATURE OF EMPLOYEE <i>Thomas R. Juster</i>	30. DATE <i>11/20/98</i>
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IMMEDIATE SUPERVISOR'S STATEMENT

31. AGREE DISAGREE WITH EMPLOYEE'S STATEMENTS. EXPLAIN (Attach Additional Sheets, if Needed)

32. AGREE DISAGREE WITH EMPLOYEE'S STATEMENT AS TO MOST RESPONSIBLE DUTY (ITEM 23). EXPLAIN.

33. SUPERVISION REQUIRED BY POSITION
 CLOSE, DETAILED SPOT CHECK BASIS ONLY LITTLE-EMPLOYEE RESPONSIBLE FOR DEvisING OWN WORK METHODS OTHER EXPLAIN ITEM CHECKED.

34. EDUCATION REQUIRED BY POSITION
 LESS THAN HIGH SCHOOL HIGH SCHOOL GRADUATION SOME COLLEGE, NO. OF YRS REQUIRED COLLEGE GRADUATION GRADUATE STUDY DEGREE (KIND) MAJOR
 Minimum qualification - Bachelor's degree

35. EXPERIENCE REQUIRED BY POSITION (KIND AND LENGTH OF TIME)
 Minimum qualification -- ES 4 for 2 years.

36. SPECIAL KNOWLEDGE, SKILLS, LANGUAGE, LICENSE, CERTIFICATE, ETC. REQUIRED BY POSITION
 Knowledge of a broad range of environmental sciences and technical expertise, strong communication and negotiation skills, understanding of policy and regulatory development and implementation.

37. SIGNATURE OF IMMEDIATE SUPERVISOR <i>Paula Ehlers</i>	38. TITLE <i>Section Manager</i>	39. DATE <i>11/25/98</i>
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DEPARTMENT HEAD'S STATEMENT

40. COMMENTS AS TO ACCURACY AND COMPLETENESS OF STATEMENTS BY EMPLOYEE AND IMMEDIATE SUPERVISOR.
 (Attach Additional Sheets if Necessary)

AR 018530

41. AGREE DISAGREE WITH STATEMENTS IN ITEMS 34, 35 AND 36. COMMENT.

42. SIGNATURE OF DEPARTMENT HEAD OR DESIGNEE

Jordan White

43. TITLE

Program Manager

44. DATE

12/3/98

AR 018531

ASSESSMENT OF OBSERVED JOB PERFORMANCE AS REFERENCED IN WAC 356-10-050 (2) (b)

(This form is to be used when the incumbent has served in the higher level class for more than a year and is valid only with an attached C.Q.)

SUPERVISOR SECTION

I have supervised Tom Luster in the duties described in the attached C.Q. for the past 12 months in Position No. 2298, Class Title Environmental Specialist #4. It is my observation and assessment that the incumbent has performed these higher level duties at or above minimum standards and has the knowledge, skills, and abilities for the higher level class (see items 23, 35 and 36 on Form SF 570).

Immediate

Supervisor's Signature

Paula Ehlus
Cherie M. Bell

11/25/98

11/25/98

Date

11/25/98

PERSONNEL OFFICER SECTION

(Incumbent)

(Social Security Number)

- incumbent on the current higher class register -- score: _____; OR
 incumbent meets the minimum, acceptable or desirable qualifications for higher class (application attached); AND
 has the knowledge, skills and abilities needed for the new class

Personnel

Officer's Signature

Date

Records are subject to periodic review by DOP.

DOP SECTION

- Based on the observation and assessment of the supervisor and personnel officer, the incumbent has complied with WAC 356-10-050, paragraph 2 (A) and (B).

DOP

Representative's Initials

Date

cc: Agency Personnel Officer

AR 018532



Personnel Action Form

PROGRAM

1. INITIATOR: Paula Ehlers REPRESENTING: SEA Program/Env. Coord. Section
recommend the following action: (check one or more) Program/Section/Unit

2. POS # 2298 JOB CLASS: Env. Specialist 4 INCUMBENT: Tom Luster
- Reallocation to: Env. Specialist 5 (Attach completed Classification Questionnaire)
 - Filling a Vacancy
 - Permanent Establishment (Attach completed Classification Questionnaire)
 - Project Establishment Project Extension
Duration _____ mo. OR from _____ to _____
(Attach completed Classification Questionnaire and project information — details on instruction sheet)
 - Temporary Appointment Temporary Extension
Duration _____ mo. OR from _____ to _____
(Attach memo of justification for temporaries; Intern Position Request for Administrative Interns)
 - Developmental Assignment (Attach Developmental Assignment Opportunity Agreement Form)
 - Abolish Position Reason: _____
Effective: _____
 - Transfer Organizationally from _____ to _____
Effective: _____ Program/Section _____ Program/Section _____
 - Transfer Budgetarily effective _____
 - Other _____

3. PROGRAM MANAGER Jordan White 12/3/98
Signature Date

4. CODING INFORMATION (maximum of six prorations) Must total 100%, even for part-time positions

Super Index Code	Approp. Index	Proration
use existing code		
Total		100.0

Full Time or Part-time _____ %

BUDGET

5. BUDGET ANALYST REVIEW JDB 12/3/98
Admin. Services Division Signature Date

DIVISION/ REGION

6. ASSISTANT DIRECTOR OR REGIONAL DIRECTOR _____
Signature Date

ALL

7. COMMENTS:

EMPLOYEE SERVICES

8. This action is is not consistent with Personnel procedures. Classification listed is is not correct
Appropriate Classification _____
PERSONNEL OFFICER _____

March 11, 1994

**ENVIRONMENTAL SPECIALIST 4 & 5
(Designation Senior Specialist/Program Expert)**

In order for a position in the class of Environmental Specialist 4 or 5 to be recognized and designated as an authority in an environmental subject area, this form must be signed by the appropriate level of management, attached to the most current Classification Questionnaire, and processed with a PAF through the Budget Office and the Ecology Personnel Office.

Position No.: 2298

Program: Shorelands & Env. Assistance

Incumbent: Tom Luster

Proposed Class: Environmental Specialist 5

List other positions, if any, working similar specialty area and explain the relationship to this position: Similar to positions held by Andy MacMillan and

Sandra Manning - lead technical staff whose jobs are to develop, coordinate, and guide policy and procedures relating to

a given area of regulatory/technical expertise. Andy for wetlands, Sandra for DOT, & Tom for 401/CZM

*Justification: _____

The position is the statewide expert on 401/CZM regulatory issues. Position develops new permit conditions for statewide implementation, trains other⁴⁰¹ staff throughout the state; negotiates with other state & federal agencies on Nationwide Permits. Lead in rule development for the 401 function.

- * This space is to be used by appropriate level of management to justify a dual career technical position. Please attach additional pages if required.

Gordon White
Program Manager (signature)

12/3/98
Date

Part V: Comments and Signatures

This report is based on my best judgment.

Evaluator's Signature Paula Ehlers Title Section Mgr Date 12.4.98

This report has been discussed with me.

Employee's Signature Thomas R. Jester Title ES II Date 12/8/98

Comments:

I have reviewed this report and, in my judgment, the process has been properly followed.

Reviewer's Signature Gordon White Title Program Manager Date 1/6/99

NOTE: Once the performance evaluation is completed and signed by all parties, it is the Evaluator's responsibility to provide a copy to the employee and to ensure that the original is placed in the employee's personnel file.

Tom has helped me understand 401 - no small accomplishment! and provides a good example to other staff for his diligence and work ethic for the citizens of the state. Efr.