ATTACHMENT

Elliott Bay/Duwamish Restoration Program Transition Management Plan

<u>Vision:</u> A Program Management Plan to provide for the efficient and successful implementation of the selected habitat development, sediment remediation and source control projects.

<u>Objective</u>: To efficiently manage the final steps to complete the implementation of the restoration, remediation, and source control projects identified under the Program.

Background: In a lawsuit against the City of Seattle and Metro (now King County), the National Oceanic and Atmospheric Administration (NOAA) alleged that the City and County had caused some injury to the natural resources of Elliott Bay and the lower Duwamish River by releasing hazardous substances from sewerage systems. The parties to the lawsuit agreed to cooperate in the formation of the Elliott Bay/Duwamish Restoration Program (Program). This agreement was embodied in a Consent Decree (United States, et al. v. City of Seattle and Municipality of Metropolitan Seattle, Case No. C90-395WD (W. D. Wash.)). The intent of this decree is to maximize benefits to the area's natural resources and residents by coordinating the actions of the Consent Decree parties and other governments and agencies. The Consent Decree provides for a combined maximum of \$24 million for sediment remediation, habitat development and pollution source control projects.

Program Goal: The primary goal of the Program is to restore natural habitat associated with combined sewer overflows and storm drains and remediate contaminated sediments in Elliott Bay and the lower Duwamish River.

Sediment remediation projects will each use one or more methods to remove or isolate contaminated sediments within the project area. Habitat development projects will include one or more methods to restore, replace, rehabilitate, or acquire the equivalent of estuarine habitat injured as a result of the release of hazardous substances. Source control efforts will be evaluated and amended to protect natural resources and prevent recontamination of project sites.

The Administration: The following groups and positions constitute the advisory, administrative, and managerial arms of the Program:

Elliott Bay/Duwamish Restoration Program Panel:

- * Establishes procedures;
- Determines how funding will be spent;
- * Gathers data:
- * Identifies, plans and approves projects;
- * Establishes source control goals; and Reviews, comments on and approves proposals.

The Administrative Director:

- Maintains Administrative Record;
- * Responsible for day-to-day administrative management of the Panel;
- * Ensures all Panel documentation is sufficient to support claims for reimbursement.

The Public Participation Committee: Advises the Panel on opportunities for public involvement and education in all program activities.

The Budget Committee: Assists the Panel in analysis and evaluation of program finances.

The Habitat Development Technical Working Group: Advises the Panel on technical issues with respect to habitat development projects.

The Sediment Remediation Technical Working Group: Advises the Panel on technical issues with respect to sediment remediation projects.

Performance Monitoring:

Each project approved by the Panel will be assigned a project coordinator to facilitate successful completion of the project by the project manager. The project coordinator and the Panel will gauge the success and progress of each project based upon the following decision measures.

- * Delivery of the specific items called for in the scopes and related contract documents;
- * Efficient use of time, funds, and resources;
- Good quality;
- * Performance in a timely fashion;
- * Performance within budget:
- * Completion of the projects: and
- * Meeting the goals of the program.

Roles and Responsibilities:

The Project Manager The project manger is responsible for ensuring that the entire scope of the project is completed within the specified schedule and budget. The project manager is also responsible for tracking the project in enough detail to provide monthly and quarterly progress reports to the project coordinator and Panel, respectively, and ensure that the rate of expenditure and progress towards completion is commensurate with the overall budget. As long as these conditions are met, the project manager is delegated the authority to make any and all day-to-day management decisions. Minor changes to the scope, schedule, and budget are authorized as follows:

Budget: Minor increases to the budget (less than 1/3 of the original contingency) are authorized, provided there are sufficient contingency finds to cover the expense and provided they are reported in the monthly report. Expenditures that exceed the contingency available, or which are likely to cause the contingency to be exceeded at some future date, cannot be made without Panel approval, because the Panel must identify a source of additional funds within the constraints of the Consent Decree.

Schedule: Minor changes in the schedule that do not extend the original schedule by more than three months are authorized. Proposed schedule extensions beyond three months must be authorized by the Panel in advance.

Scope: Minor increases in the scope of the project may be made by the project manager, provided that they can be accomplished without significantly affecting the schedule or the budget (see above), including safeguarding sufficient contingency for future elements of the project. Such increases in scope should be commensurate with the intent of the project and will generally arise from unanticipated circumstances (for example, encountering unexpected debris requiring removal during cleanup, cost savings in one part of a habitat restoration project allowing additional enhancement in other areas). Larger increases or changes to the scope of a project should be posed to the Panel for approval, along with an explanation of how they will be funded.

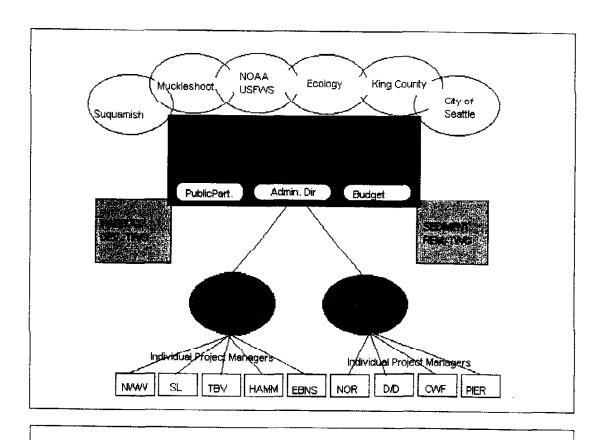
The project manager is not authorized to decrease the scope of a project without Panel approval. Decreases in the scope of permitted cleanup projects are generally not possible due to regulatory and permit requirements. The project manager is required to track the budgets of such projects in a timely manner to ensure that the remaining funds will be adequate to complete the entire scope. Since the project manager's agency will be the permit holder, that agency will be responsible for completing the project should the project manager not ensure that sufficient funds are available within the allocated Panel budget for that project.

Nothing in this plan prevents the project manager from taking any emergency action necessary to protect human health or the environment, or comply with permit conditions, due to unforseen events or conditions in the field. Under such circumstances, the project manager or field supervisor shall take such emergency actions as are necessary and shall notify the project coordinator at the earliest possible opportunity of the situation, as well as its potential impact on the schedule and budget. If necessary, the project coordinator will then convene the Panel at the earliest possible opportunity to discuss the situation and make such scope, schedule and budget adjustments as are necessary in a timely manner.

Project managers make written requests for payment (or in-kind credit) to the project coordinator who is responsible for reviewing, evaluating, and ensuring that all supporting documentation has been provided, and makes a recommendation to the Panel. The Panel then approves the submission, granting credit for in-kind services or reimbursement from the Court. Reimbursement requests are transmitted from the Administrative Director to the Department of Justice for approval by the Court.

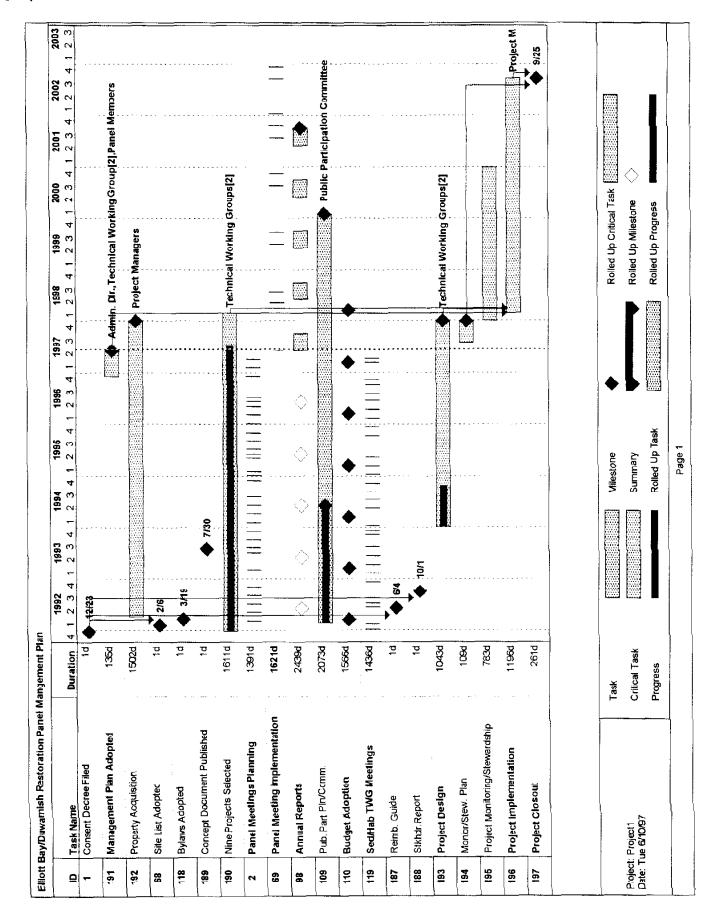
<u>The Project Coordinator</u>. The Project Coordinators provide both the administrative and technical oversight of project management. The general duties include:

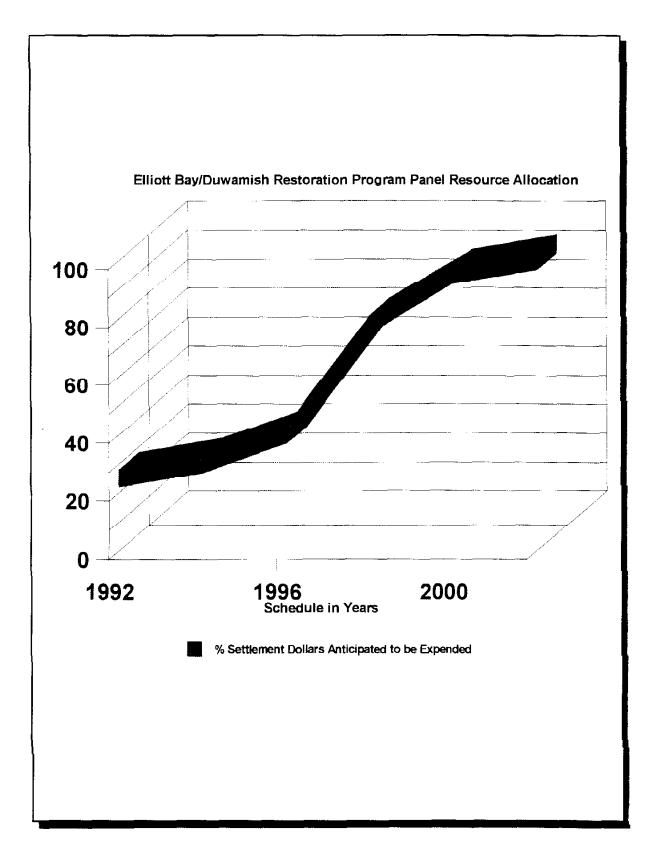
- * Serves as day-to-day liaison for the project manager, technical working groups, and Panel;
- * Serves as the initial reviewer of the progress of the projects and performance;
- * Responds to questions or situations which develop in the field, informing and providing recommendations to the Panel as appropriate;
- * Focuses and frames policy issues and decisions for the Panel consideration.



Elliott Bay / Duvvanush Restoration Program Organizational Diagram

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4.0 Project Descriptions:
A Summary of Scope, Schedule and Budget

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	Site Analysis Land Acquisition		50,000.00		 	2.116.000.00				122,500.00
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٦	Real Property Subtotal Planning and Design	0.00	50,000,00	0.00	0.00	2,269,500.00	0.00	0.00	0.00	2,319,500.00
Ц	Design					214,500.00				214,500.00
	Environmental Compliance Protect Management				 	65,000.00 73,530.00				65,000.00 73,530.00
	Planning and Design Subtotal	0.00	0.00	0.00	0.00			0.00	0.00	353,030.00
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П	Implementation Contract				ļ.,	1,500,000.00				1,500,000.00
	Project Management Monitoring	-		•••	 	176,000.00	120,000.00			178,000.00
	Stewardship									0.00
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	Site Analysis Design				ļ	32,742.00				32,742.00
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	Land Acquisition Site Analysis					225,000.00				225,000,00
	Project Menagement					33,500.00	28,800.00		-	28,800.00 28,800.00
	Real Property Subtotal	0.00	0.00	0.00	0.00	258,500.00	28,800.00	0.00	0.00	287,300.00
	Planning and Design Design					72,967.00		-		72,967.00
1	Permitting					27.000.00				27,000.00
:t	Project Management Planning and Design Subtotal	0.00	0.00	0.00	0.00	128,787.00	0,00	0.00	0.00	128,767.00
1	mplementation				0.00	160,707.00		5.00	0.00	- 120,707.00
	Construction Contract Project Menagement						14,400,00			530,000.00
ı	Monitoring						14,400,00	100,000.00		14,400.00
	Stewardship Implementation Subtotal	0.00	0.00	0.00	0.00	0.00	544,400.00	100,000.00	0.00	\$44,400.00
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	mplementation Subtotal EB NEARSHORE PROJECT TOTAL	0.00	0.00	0.00	0.00	256,400.00	32,600.00	0.00	0.00	289,000.00
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	A STATE OF THE PARTY OF THE PAR									737,848.00
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4.1 Habitat Development Projects

4.1.1 North Wind Weir:

Location/Description and Background:

King County, through the Department of Natural Resources' Water Pollution Control Division and the Department of Parks and Recreation and Cultural Resources would like to develop intertidal habitat along the Duwamish at the North Wind Weir site. The 3 acre site is part of the County's Green River Trail system and the openspace program to be used for habitat and openspace purposes. Improvements include trails, shoreline stabilization, plantings, construction of approximately one acre of intertidal area, and providing an interpretive feature highlighting the site's cultural significance to Native Americans. The Water Pollution Control Division would provide funding for design and construction and Parks through Kind County's Department of Construction and Facility Management would provide project management and development services.

The North Wind Weir Openspace is located along the Duwamish River at about 11004 West Marginal Place. The site is about 3.1 acres of openspace surrounding a bike trail at the present time. A restroom facility will be constructed during 1997. All housing has been removed from the site. There are some substantial trees which exist on site and would probably remain. The site consists of 500 linear feet of river frontage and ranges between approximately 6 and 15 feet above the low water mark along the river from south to north respectively.

Scope:

Goals:

- 1) The purpose of the project is to provide and enhance habitat. Specifically, the intent and the purpose of the project goals would:
- 2) Provide estuarine habitat and associated vegetative buffers for the benefit of fish and wildlife resources.
- 3) Facilitate public understanding of and support for Duwamish River Habitat resources, and;
- 4) Improve understanding of estuarine habitat restoration methods.

Objectives:

- 1) The objectives and elements for the project include:
- 2) Providing interpretive/educational facilities for natural and cultural resources;
- 3) Implementing long-term monitoring to evaluate project results;
- 4) Documenting project performance relative to provisions of fish and wildlife habitat;
- 5) Meeting the success criteria for the function of an estuarine habitat;
- 6) Developing intertidal area(s) and providing vegetative buffers, and;
- Providing for public access.

Benefits: The primary benefits would be the provision of an intertidal habitat design to assist migrating salmonids acclimate on their way downstream. The intertidal habitat design would also act as a catalyst for the promulgation of upland bird and animal species. Shoreline stabilization and selected plantings on the site and along the shoreline would substantially improve riparian conditions.

Performance Work Statement: Please see the draft North Wind Weir Project Budget which includes necessary tasks and associated schedule.

Schedule:

The project consists of a three-year design and development program and some form of monitoring plan and long term monitoring and maintenance program. The facility would be completed in 1999. Please see the draft North Wind Weir Project Budget which includes necessary tasks and associated schedule.

Budget:

Project costs have been allocated not to exceed \$925,649.00. Please see the draft North Wind Weir Project Budget which includes necessary tasks and associated schedule.

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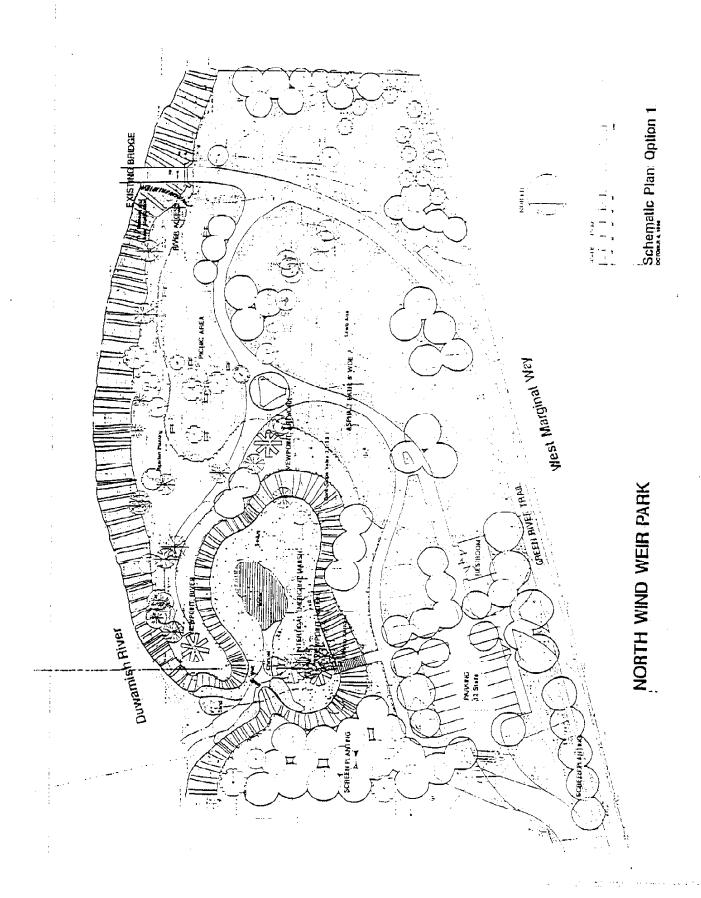
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	Predesign	8/1/96	2/21/97	\$1,800							
	Site Analysis	1/15/97	2/28/97								
2	Geotechnical analysis	1/15/07	2/21/97			\$10.742					
3	Contaminants survey	1/15/97	2/21/97			\$22,000					
Des	Design and Review	9/15/96	1/11/98								
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4.1.2 Duwamish/Hamm Creek (City Light North):

<u>Location/Description and Background:</u> The shoreline is riprap, but a fairly large intertidal bench is present below the toe of the slope. West Marginal Way Southwest is beyond Marginal Place Southwest to the west of the site. The small tributary, Hamm Creek, flows through a forested area southwest of the site, crosses under the highway just south of the site, then flows the length of the site in an adjacent ditch along the roadway. Delta Marine boatyard boarders the site.

Scope:

Goals: bv:

The project will improve habitat conditions in the Turning Basin

vici nity

Increasing the amount and availability of vegetated (marsh) and 1) unvegetated (mudflat) intertidal habitat.

2) Provide surface water connection between Hamm Creek and the Duwamish River.

The project will improve estuary habitat needed to help salmonid transition from freshwater to a saltwater environment. The project will provide off-river habitat along the south fork of Hamm Creek for rearing, refuge, and spawning.

Objectives:

1) Improve fish passage and reduce potential for blockages by upgrading Hamm Creek culverts under West Marginal Way.

2) Create a new stream channel from the point where Hamm Creek enters the project area to a new connection with the Duwamish River. The channel will mimic, to the best degree possible, features found in streams not altered by human community development, to include pools, riffles, diverse habitat using logs, boulders and stumps. The channel will be fish-passable throughout its length.

3) Provide attributes associated with marsh and mudflat habitats at levels comparable to appropriate reference sites by removing fill material, regrading to intertidal elevations, and establishing marsh vegetation at suitable locations.

4) Establish buffers along the margins of aquatic (stream, marsh, mudflat) habitat by the creation of riparian areas using native trees and

5) Allow for non-consumptive human use and enjoyment of the site in a manner compatible with the habitat objectives of the project.

The Panel will partner this project with King County and the U.S. Army Corps of Engineers, contributing roughly one-third of the funds (\$250,000.00 for construction and \$700,000.00 for acquisition) which presents the intertidal estuary component of the project.

Performance Work Statement:

To accomplish this project, King County Surface Water Management will develop plans, specifications, and obtain permits according to the following:

1) Project Management and Coordination: Provide quarterly schedule and budget reports. Coordinate with project stakeholders, designers and the public. Conduct two public meetings to review the project.

DRAFT ED/DRP Management Plan April 22, 1997

2) Solicit Alternative Project Funding: Prepare necessary documents for obtaining U.S. Army Corps of Engineers Section 1135 funding and Section 22 analysis support through the U.S. Army Corps of Engineers.

3) Property Acquisition: Assist the Panel in the acquisition of the site through the resolution of permit issues. Acceptance by the King County Council and the Seattle City Council

will probably be necessary.

4) Preliminary Design: Develop a preliminary design with rough details and major features. Conduct preliminary hydraulic analysis. Provide a report describing the project components, concerns and analysis. This report must be approved by the Panel before proceeding with design.

5) Provide NEPA and SEPA documentation: Complete mitigated SEPA checklist and corresponding Environmental Assessment for NEPA. Provide notification and advertisement to complete the initial environmental review to a point of determination of

significance or non-significance.

6) Obtain permits: Acquire Tukwila Shoreline, Corps 401, 404 and State HPA, grading permits, and water quality waiver. Develop hydraulic, wetland, and stream reports necessary to acquire permits.

7) Soil Survey and Groundwater Monitoring: Construct up to five wells to determine the

quality of soils and monitor groundwater levels.

8) Topographic Survey: Develop a topographic map of the site and adjacent shoreline and riverbed.

9) Provide Plans and Specifications: From the preliminary design report, develop detailed plans and specifications ready for advertisement and bidding. Complete final engineering and ecological analysis.

10) Advertise, Bid, and Award the contract.

- Provide Construction Services: King County will provide construction management and monitoring of the project. This work will include the monitoring of the contractor, issuing of pay estimates, review and approval of shop drawings and change orders, and coordination with permit agencies, public and private stockholders.
- 12) Post Construction Monitoring: King County will monitor the project and make necessary adjustment of features and the replacement of plant material.

Schedule:

Task:	Duration	Start	End	Est. Cost
1. Notice to Proceed	0d	07/01/96	07/01/96	\$ 0.00
2. SWM Proj. Coord.	448d	07/01/96	04/14/98	150,000.00
3. Negotiate ROW	180d	09/26/96	03/31/97	25,000.00
4. Review Process	90d	07/01/96	09/25/96	0.00
5. Feasibility Study	180d	09/26/96	03/31/97	170,000.00
6. Project Design	240d	04/01/97	11/26/97	200,000.00
Environmental Review				
7. Permit Acquisition	240d	04/01/97	11/26/97	40,000.00
8. Approval	0d	11/26/97	11/26/97	0.00
9. Obtain ROW	14d	11/27/97	12/12/97	1,000,000.00*
10. Construction	150d	<u>04/15/98</u>	09/11/98	1,662,000.00*

^{*} Partial funding is requested from the Elliott Bay/Duwamish Restoration Panel

Budget: Funding the project involves multiple sources.

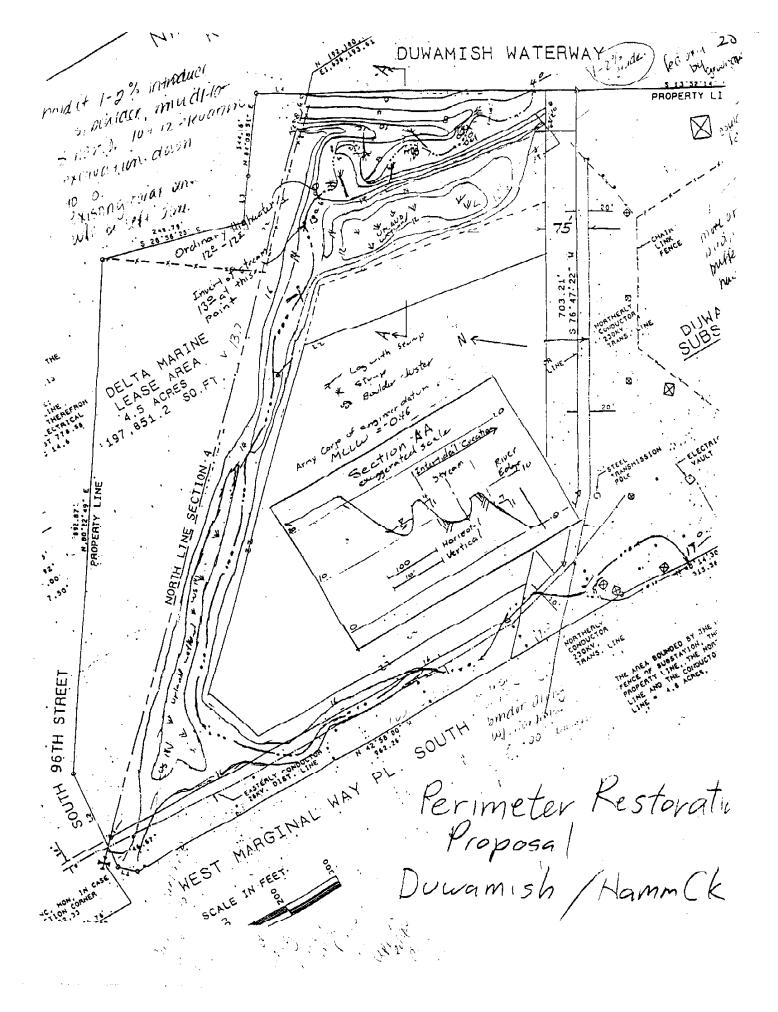
U.S. Army Corps of Engineers Section 1135 Program	\$1,643,000.00
Elliott Bay/Duwamish Restoration Program	1,000,000.00
King County Future Funding Initiative	500,000.00
King County Surface Water Management	104,000,00
TOTAL	\$3,247,000.00

^{*} The Elliott Bay/Duwamish Restoration Panel has obligated (by Resolutions 1994-13, 1995-08, 1995-10, 1995-18, and 1995-27 up to \$10,100.00 of planning and design funds).

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4.1.3 Seaboard Lumber:

Location/Description and Background:
The City of Seattle is currently in the process of acquiring the site of the former Seaboard Lumber Mill at 4540 West Marginal Way SW for the Seattle Department of Parks and Recreation's 1995-2000 Capital Improvements Program. The purpose of this project is to restore intertidal marine habitat in the lower Duwamish River estuary.

The Seaboard site totals approximately 5.7 acres of uplands and 10 acres of tidelands along the Duwamish River at river mile 2 above Elliott Bay. The tidelands include a portion of the last remaining oxbow of the former Duwamish River and lie just north of Kellogg Island, a highly modified substantial remnant of the once extensive wetlands that characterized the mouth of the Duwamish River. The Seaboard Lumber Mill closed nearly 12 years ago and the mill structure has been removed. The vacant industrial site is largely paved, or has large concrete foundation pads as well as pile-supported pier foundations of other structures that were previously removed. The Shoreline is composed of rubble reverment, below which are the mudflats that extend toward the river channel and Kellogg Island. The Port of Seattle has set aside Kellogg Island for fish and wildlife habitat.

The City proposes to restore the estuarine wetland that once existed at the Seaboard site. The City will necessitate removal of existing foundations and pavements, extensive upgrading, and establishment of native plantings to expand existing non-vegetated tidal flats and create a mosaic of emergent marsh, shrub swamp and upland riparian areas on the balance of the site. Aquatic habitat in the Duwamish River should be significantly improved as a result of such restoration and other similar projects that are now planned.

A very preliminary illustrative plan for such aquatic habitat restoration at Seaboard has been prepared by the Elliott Bay/Duwamish Restoration Panel's Habitat Technical Working Group. The U.S. Army Corps of Engineers provided a thorough site evaluation and analyses.

Scope:

Goals:

The purpose and goal of this project is to restore intertidal marine habitat in the lower Duwamish River estuary.

Objectives:

The intent of this project is to restore aquatic habitat in order to protect critical fish and wildlife resources in the Duwamish River system. Public access to the Duwamish River is also provided as a secondary intent. Included with this intent should be public education relative to natural resources that will be enhanced at site. The general parking access component should be limited to parking, trail, and viewpoint areas.

Performance Work Statement:

The following must be incorporated into the design project:

Demolish the remnants of the existing pier at the north end of the shoreline and remove all other unnecessary piling.

Excavate the shoreline to increase the size of the intertidal area of the site. Remove unnecessary debris along the shoreline that presently functions as a makeshift rip rap revetment. Regrade to allow for development of a brackish marsh or slough that will extend inland. Reuse, if possible, certain excavation spoils to create berms along West Marginal Way SW to allow for development of an upland planting buffer.

DRAFT ED/DRP Management Plan April 22, 1997

Provide for appropriate wetland plantings of native species along the upper edges of the slough that will be created. The design of such plantings will be based upon tidal elevations created from the grading activity that must replicate an appropriate transition from the intertidal slough to the upland buffer.

Provide for a richly vegetated upland buffer using native species that can create a scrub/shrub edge to the intertidal slough. Some forest species should be incorporated into this buffer as well.

Provide for a small parking area adjacent to West Marginal Way SW to accommodate approximately 15-20 cars at a small trailhead type of development. Allow for the installation of portable toilets and provide for bicycle parking and park furniture as may be appropriate.

Provide for a trail to one or two designated viewpoints for park visitors. Such viewpoints should allow for an overview of the intertidal slough, the nearby Kellogg Island, and industrial marine activities on the Duwamish. Interpretive signage may be appropriate at such viewpoints.

Consider designing the site to allow for only a small opening of the slough to the Duwamish River to allow for a spit that could provide both wave protection and one of the viewpoints mentioned above.

For a further listing of the task breakdown please refer to the scope, schedule, and budget spreadsheets attached.

Schedule:

The proposed schedule for Seaboard is currently being updated, as it was originally based upon the achievement of a Purchase and Sale Agreement by 06/01/95.

Budget:

The purchase price of the property is still in negotiation. The construction budget for this project is \$1,640,000.00. The budget is the expected cost of construction and does not include construction contingencies, Washington State Sales Tax, and other associated costs. See the following draft budget for the Seaboard Lumber site.

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