

Amendment to Project Agreement

Project Sponsor: City of Edmonds

Project Number: 13-1107P

Project Title: Willow Creek Daylighting Final Feasibility Study

Amendment Number: 1

Amendment Type:

Special Conditions Change

Amendment Description:

The sponsor agrees to comply with Attachment A "EPA Provisions for Puget Sound Estuary and Restoration Projects". Attachment A is incorporated by this reference as if fully set forth herein. This project is used as state match for the National Estuary Program administered by the U. S. Environmental Protection Agency. As such, the EPA Provisions are required in addition to the RCO standard Terms and Conditions.

Agreement Terms

In all other respects the Agreement, to which this is an Amendment, and attachments thereto, shall remain in full force and effect. In witness whereof the parties hereto have executed this Amendment.

State Of Washington Recreation and Conservation Office

BY: Tara Galuske for

Kaleen Cottingham

TITLE: Director

DATE: 4/24/14

BY: _____

Pre-approved as to form:

/S/

Assistant Attorney General

Project Sponsor

AGENCY: City of Edmonds

BY: Mayor Dave Earling

TITLE: Mayor Dave Earling

DATE: May 6, 2014

MAY 12 2014

WA STATE
RECREATION AND CONSERVATION OFFICE

Amendment Special Conditions

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Special Conditions

I. Disclosure notice:

Projects funded with state Salmon Recovery Funding Board and Puget Sound Acquisition and Restoration money may be used by RCO, the Puget Sound Partnership or Northwest Indian Fisheries Commission as match to one of the following federal assistance agreements: 1) United States Department of Commerce Catalog of Federal Domestic Assistance Number 11.438, or 2) United State Environmental Protection Agency Catalog of Federal Domestic Assistance Numbers 66.123 and 66.456.

The sponsor agrees to comply with Attachment A "EPA Provisions for Puget Sound Estuary and Restoration Projects". Attachment A is incorporated by this reference as if fully set forth herein. This project is used as state match for the National Estuary Program administered by the U. S. Environmental Protection Agency. As such, the EPA Provisions are required in addition to the RCO standard Terms and Conditions.

II. PSAR funded projects:

Any signage or press materials must acknowledge the Puget Sound Acquisition and Restoration Fund as well as RCO as a fund source.

III. Cultural Resources Consultation:

This project includes ground disturbing activities, and is subject to Governor's Executive Order 05-05 Archaeological and Cultural Resources (EO 05-05) as described in Section 9 of this project agreement. RCO will need to initiate cultural resources consultation following EO 05-05 for all ground disturbing activities. Completion of this consultation and a Notice to Proceed from RCO will be required before these ground-disturbing activities can begin.

IV Design Deliverables: This project will meet the standards for Design and Restoration Project Deliverables described in Manual 18 Appendix D-2 Preliminary Design. Deliverables will include:

- *Cultural Resources Assessment*
- *Topographic surveys* along the daylight alignment for the proposed channel and beach outlet area, and along upstream marsh areas to improve marsh channel and surface data for the hydraulic model and to facilitate future channel designs.
- *Beach outlet evaluation* to identify the preferred alignment for the beach outlet based on optimal fish passage, hydrodynamics, sediment transport and geomorphic conditions and risks to property and infrastructure.
- *Numerical Hydrodynamic modeling*- to assess the need for a Self-Regulating Tidegate (SRT) (or floodgate) in the project design and, along with the beach sediment and geomorphologic evaluation, assess the likelihood of the channel becoming impassable to juvenile fish.
- *Geotechnical assessment*- including field explorations and environmental sampling along the proposed channel and beach areas as a basis of information for future design and cost estimating.
- *Contaminated Soils Assessment*- Review data and reports provided by the Unocal/Chevron along the proposed daylight channel and assess the need for a HDPE liner to reduce contamination risks. Additional soil and groundwater testing and sampling may be required.
- *Property, Real Estate and Lands Strategy*- to address rights of entry, acquisition and easements required for the project. The project team will provide a summary and professional judgment of discussions with Unocal/Chevron regarding the availability of the property to host part of the channel and with BNSF regarding daylighting the channel under the existing bottomless culverts.
- *Preliminary Design and Design Report* (See Manual 18 Appendix D-2 for additional details):
 - a) Preliminary Design Report, Drawings, and Engineering Cost Estimate; and
 - b) Design Review Comments.