

Amendment to Project Agreement

Project Sponsor: City of Edmonds

Project Number: 14-1299P

Project Title: Willow Creek Daylighting Conceptual Design

Amendment Number: 4

Amendment Type:

Special Conditions Change

Amendment Description:

Add Special Condition to the project agreement to increase record retention to 9 years from project completion date in order to meet federal record retention requirements.

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

Project Sponsor

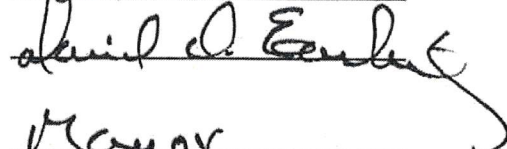
BY: 
Kaleen Cottingham

TITLE: Director

DATE: 5/2/19

BY: Pre-approved as to form:
/S/
Assistant Attorney General

AGENCY: Edmonds

BY: 

TITLE: Mayor

DATE: 5.7.17

Natural Resources Building
P.O. Box 40917
Olympia, WA 98504-0917
1111 Washington St. S.E.
Olympia, WA 98501



(360) 902-3000
E-mail: info@rco.wa.gov
Web site: www.rco.wa.gov

STATE OF WASHINGTON
RECREATION AND CONSERVATION OFFICE

May 2, 2019

Dave Earling
City of Edmonds
121 5th Ave N
Edmonds, WA 98020

RE: Willow Creek Daylighting Conceptual Design, RCO #14-1299P
Amendment # 4

Dear Dave Earling:

In response to your request to amend the above-referenced Project Agreement, we have reviewed the circumstances and pertinent RCWs, WACs, and program policies relating to your request. As a result, I am approving an amendment to the Willow Creek Daylighting Conceptual Design project.

Enclosed are two original amendments to the Project Agreement. Please sign both amendments, retain one for your records, and return one original. If you have any questions, please call Elizabeth Butler at (360) 867-8650, or send an e-mail to elizabeth.butler@rco.wa.gov.

Sincerely,

Kaleen Cottingham
Director

Enclosures

cc: Keeley O'Connell



Amendment Special Conditions

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Special Conditions

a) Design and Restoration Project Deliverables:

The project will meet the standards for Design and Restoration Project Deliverables described in Manual 18 (2016) Appendix D-1 "Conceptual Design Deliverables". Submit the following deliverables to your SRFB grants manager along with any assessment, data collection summaries and reports, and feasibility deliverables funded in the scope of work.

- a) Description of the project site and the problems within the context of salmon recovery.
- b) Identification of specific goals and objectives for addressing the problems.
- c) Identification and conceptual design of alternative(s) for achieving the project objectives. Each conceptual design alternative must include a description of the design and a plan view drawing of existing site conditions and the proposed project on accurately scaled site plans. The plan view drawing must include an area/location map, property boundaries (either surveyed or approximated based on assessor's data), landownership, roads or other infrastructure as appropriate, scale, north arrow, water bodies and direction of flow, bank-full width or mean high water line for marine waters, and approximate dimensions of proposed elements.
- d) Evaluation and discussion of stakeholder comments and the pros and cons of each alternative.
- e) Selection of the preferred alternative(s).
- f) Rough construction cost estimate of the preferred alternative(s). (optional)

b) Condition: SRFB Review of Draft Conceptual Design: Prior to implementing the next design phase of this project using SRFB funding (either cost increase or new grant request), sponsor will submit the full deliverables of this additional study, alternatives analysis and conceptual design for review by the SRFB technical review panel.

c) Condition: Control and Tenure established, and MOU provided to SRFB: Project sponsor will provide a signed Landowner Acknowledgement Form from WSDOT-Ferries and a written report of negotiations between the City and WSDOT-Ferries that includes an MOU between these two parties clearly stating the agreed upon preferred alternative channel alignment across the Unocal property (future WSDOT property) including any communicated intention and/or commitment from WSDOT-Ferries to adopt or incorporate the concept into their future development of the project permanent.

d) Cultural Resources

The cultural resources assessment was completed for a portion of the site (the marina beach property) under a prior phase of the project and is attached in PRISM. The future restoration project will be subject to the National Historic Preservation Act, Section 106, but preliminary designs may require additional ground disturbing activities for geotechnical and other investigations. In order to be exempt from Governor's Executive Order 05-05 Archaeological and Cultural Resources (EO 05-05) as described in Section 9 of this project agreement, sponsor must have an archaeologist monitor any ground disturbing activities necessary for design development, and incorporate observations and results into the Cultural Resources Assessment that will be prepared for the Section 106 consultation.

Please note, in order for a future RCO funded restoration project to be exempt from EO 05-05, the Section 106 Area of Potential Effect (APE) must include all ground-disturbing activities (e.g., restoration staging area, riparian planting areas). The sponsor is encouraged to work with the federal permitting agency to align the Section 106 APE with the scope of work subject to a future RCO funded restoration project proposal. If the APE does not include all ground-disturbing activities proposed for RCO funding, RCO will need to initiate cultural resources consultation following EO 05-05 for those activities not included in the federal APE.

In order to satisfy 15 CFR 24.42(b) & (c) For projects that contain Pacific Coast Salmon Recovery Funds or are used as match to Pacific Coast Salmon Recovery Funds the sponsor shall retain records for a period of nine

Amendment Special Conditions

years from the date RCO deems the project complete as defined in the PROJECT REIMBURSEMENTS Section.