

ATTACHMENT

Elliott Bay/Duwamish Restoration Program Transition Management Plan

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

Objective: 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 manager 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 funds 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.

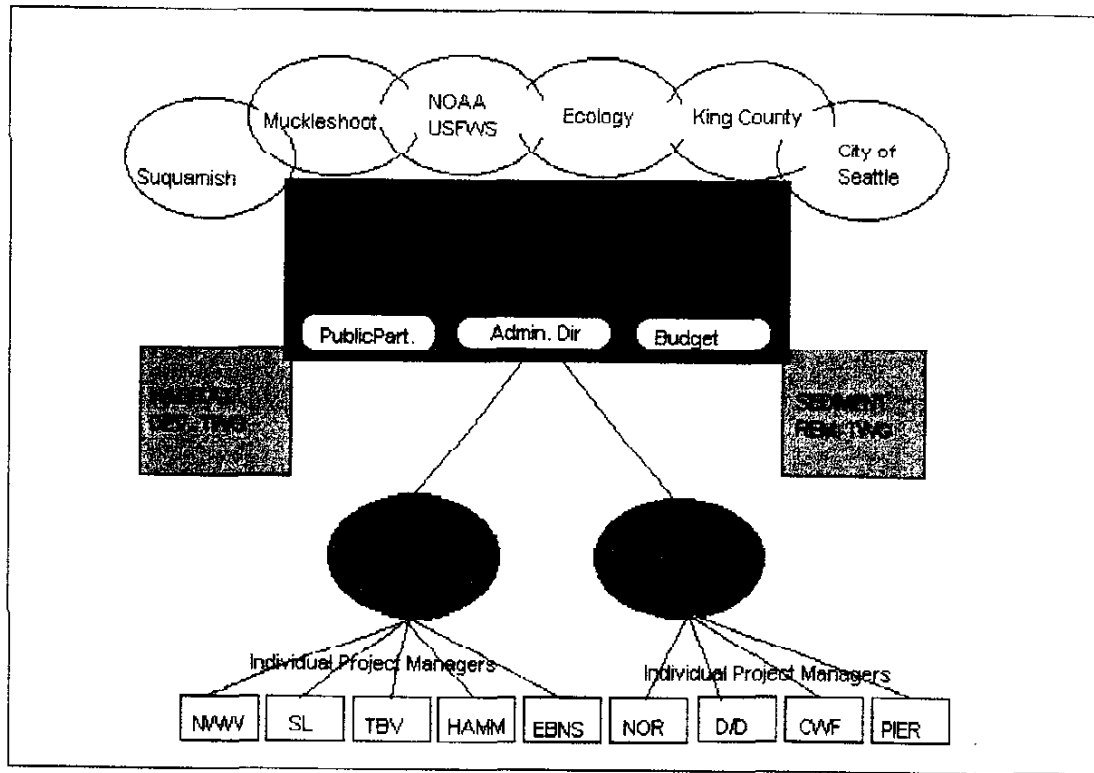
The project manager is not authorized to decrease the scope of a project without Panel approval. Decreases in the scope of permitted cleanup projects are generally not possible due to regulatory and permit requirements. The project manager is required to track the budgets of such projects in a timely 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 unforeseen 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.

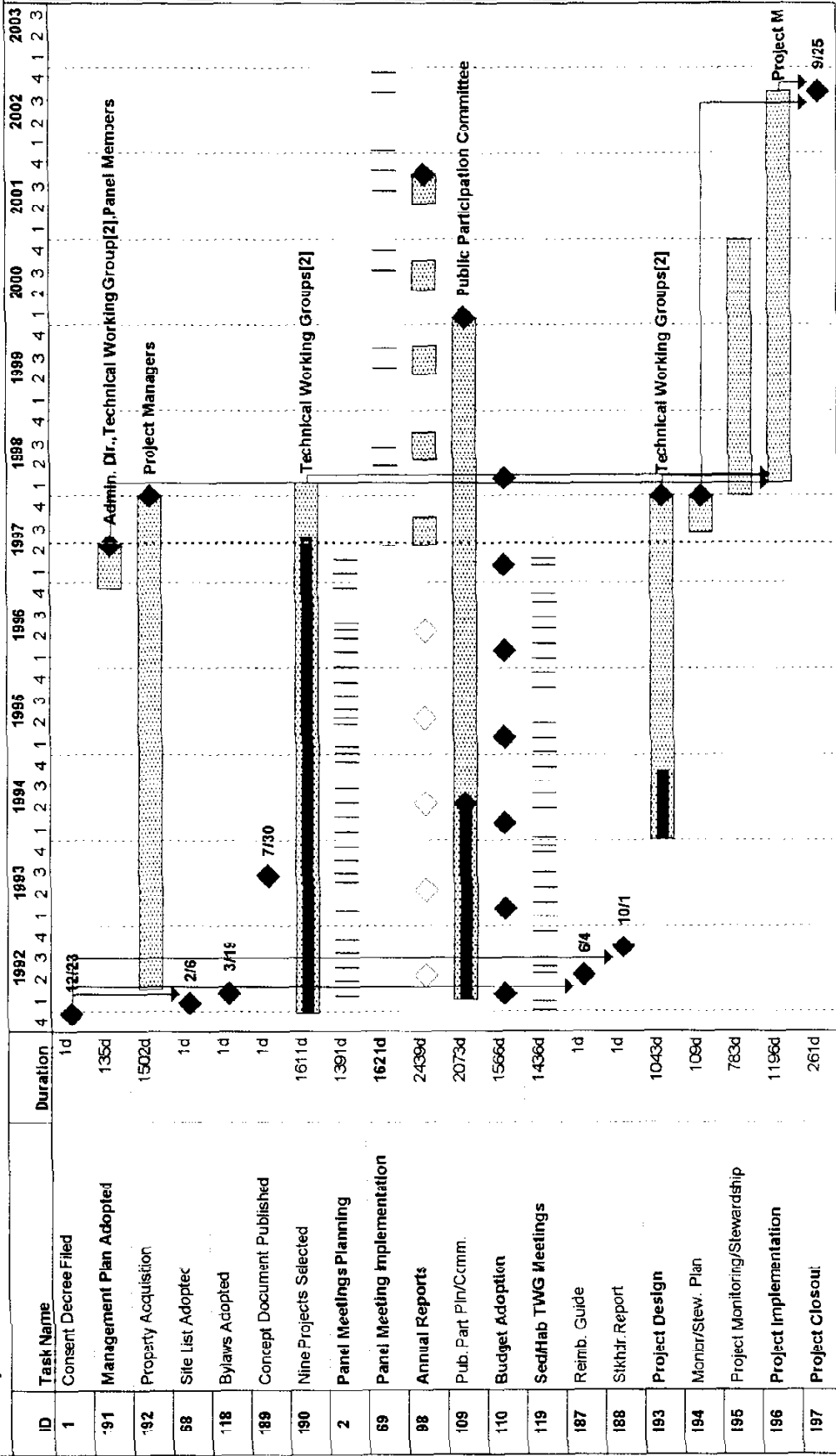
The Project Coordinator. The Project Coordinators provide both the administrative and technical oversight of project management. The general duties include:

- * 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 / Duwamish Restoration Program Organizational Diagram

Elliott Bay/Duwamish Restoration Panel Management Plan

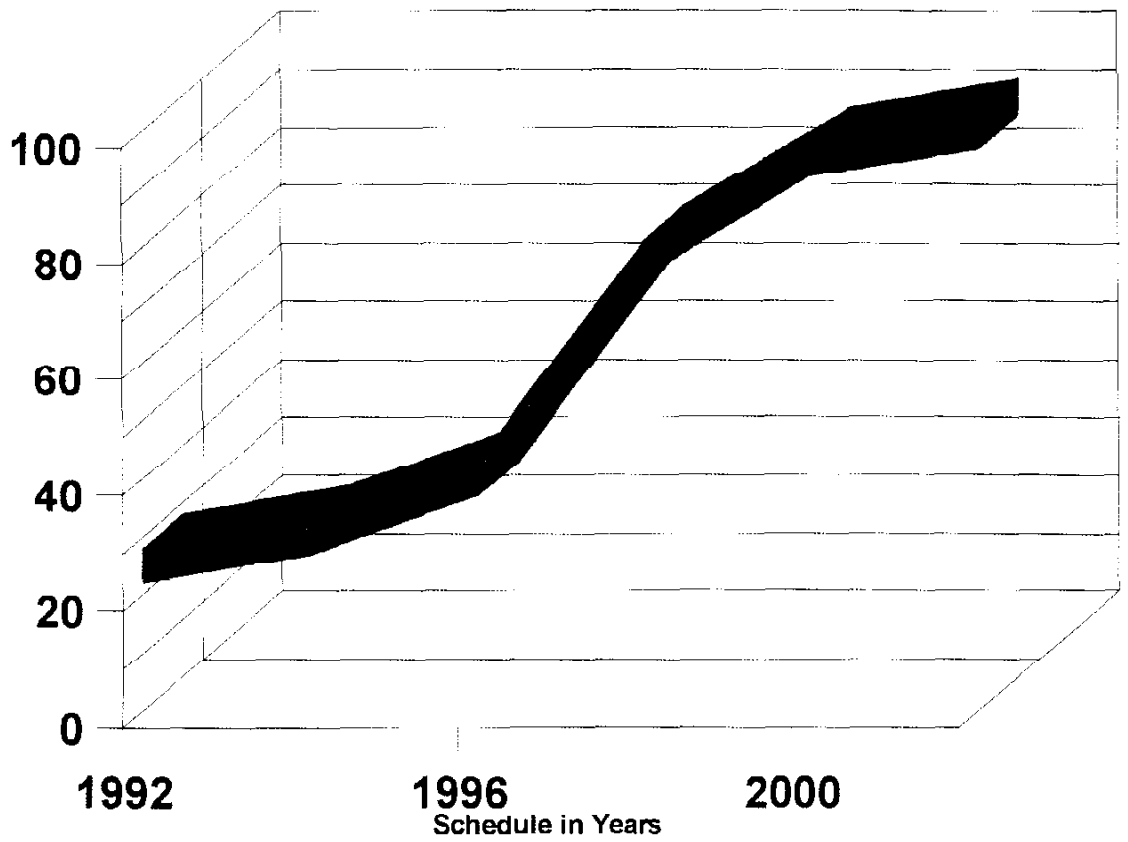


Project: Project1
Date: Tue 6/10/97

Task: [Pattern] Milestone: [Diamond] Summary: [Arrow] Rolled Up Task: [Dotted] Rolled Up Critical Task: [Dotted] Rolled Up Milestone: [Diamond] Rolled Up Progress: [Solid]

Page 1

Elliott Bay/Duwamish Restoration Program Panel Resource Allocation



■ % Settlement Dollars Anticipated to be Expended

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

Habitat #	1992/3	1994	1995	1996	1997	1998	1999	2000+	Project Total
SEABOARD PROJECT									
Real Property									
Site Analysis					122,500.00				122,500.00
Land Acquisition		50,000.00			2,116,000.00				2,166,000.00
Project Management					31,000.00				31,000.00
Real Property Subtotal	0.00	50,000.00	0.00	0.00	2,269,500.00	0.00	0.00	0.00	2,319,500.00
Planning and Design									
Design					214,500.00				214,500.00
Environmental Compliance					65,000.00				65,000.00
Project Management					73,530.00				73,530.00
Planning and Design Subtotal	0.00	0.00	0.00	0.00	353,030.00	0.00	0.00	0.00	353,030.00
Implementation									
Construction Contract					1,500,000.00				1,500,000.00
Project Management					176,000.00				176,000.00
Monitoring						120,000.00			120,000.00
Stewardship									0.00
Implementation Subtotal	0.00	0.00	0.00	0.00	1,676,000.00	120,000.00	0.00	0.00	1,796,000.00
SEABOARD PROJECT TOTAL	0.00	50,000.00	0.00	0.00	4,298,530.00	120,000.00	0.00	0.00	4,418,530.00
NORTH WIND WIER									
Real Property									
Land Acquisition					326,700.00				326,700.00
Real Property Subtotal	0.00	0.00	0.00	0.00	326,700.00	0.00	0.00	0.00	326,700.00
Planning and Design									
Site Analysis					32,742.00				32,742.00
Design					63,444.00				63,444.00
Environmental Compliance					11,563.00				11,563.00
Project Management					0.00				0.00
Planning and Design Subtotal	0.00	0.00	0.00	0.00	107,749.00	0.00	0.00	0.00	107,749.00
Implementation									
Construction Contract					299,600.00				299,600.00
Project Management					97,000.00				97,000.00
Monitoring						48,000.00			48,000.00
Stewardship						9,000.00			9,000.00
Implementation Subtotal	0.00	0.00	0.00	0.00	396,600.00	57,000.00	0.00	0.00	453,600.00
NORTH WIND PROJECT TOTAL	0.00	0.00	0.00	0.00	723,300.00	57,000.00	0.00	0.00	780,300.00
TURNING BASIN VICINITY									
Real Property									
Land Acquisition					225,000.00				225,000.00
Site Analysis					33,300.00				33,300.00
Project Management					28,800.00				28,800.00
Real Property Subtotal	0.00	0.00	0.00	0.00	287,100.00	28,800.00	0.00	0.00	315,900.00
Planning and Design									
Design					72,967.00				72,967.00
Permitting					27,000.00				27,000.00
Project Management					68,833.00				68,833.00
Planning and Design Subtotal	0.00	0.00	0.00	0.00	128,767.00	0.00	0.00	0.00	128,767.00
Implementation									
Construction Contract						530,000.00			530,000.00
Project Management						14,400.00			14,400.00
Monitoring							100,000.00		100,000.00
Stewardship									0.00
Implementation Subtotal	0.00	0.00	0.00	0.00	0.00	544,400.00	100,000.00	0.00	644,400.00
T.B.V. PROJECT TOTAL	0.00	0.00	0.00	0.00	287,100.00	544,400.00	100,000.00	0.00	931,500.00
CITY LIGHT NORTH									
Real Property									
Address					5,000.00				5,000.00
Land Acquisition					700,000.00				700,000.00
Real Property Subtotal	0.00	0.00	0.00	0.00	705,000.00	0.00	0.00	0.00	705,000.00
Planning and Design									
Site Analysis/Design									0.00
Project Management					5,100.00				5,100.00
Planning and Design Subtotal	0.00	0.00	0.00	0.00	5,100.00	0.00	0.00	0.00	5,100.00
Implementation									
Construction Contract						300,000.00			300,000.00
Project Management							47,000.00		47,000.00
Monitoring									0.00
Stewardship									0.00
Implementation Subtotal	0.00	0.00	0.00	0.00	0.00	300,000.00	47,000.00	0.00	347,000.00
CITY LIGHT PROJECT TOTAL	0.00	0.00	0.00	0.00	705,000.00	300,000.00	47,000.00	0.00	1,052,000.00
ELLIOTT BAY NEARSHORE									
Real Property Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Planning and Design									
Site Analysis				#####	38,800.00				101,600.00
Design					2,600.00				2,600.00
Project Management					24,800.00				24,800.00
Permitting						14,000.00			14,000.00
Planning and Design Subtotal	0.00	0.00	0.00	#####	66,000.00	14,000.00	14,000.00	0.00	143,000.00
Implementation									
Construction Contract					138,800.00				138,800.00
Project Management					117,800.00				117,800.00
Monitoring						32,600.00			32,600.00
Stewardship									0.00
Implementation Subtotal	0.00	0.00	0.00	0.00	256,600.00	32,600.00	0.00	0.00	289,200.00
EB NEARSHORE PROJECT TOTAL	0.00	0.00	0.00	0.00	256,600.00	32,600.00	0.00	0.00	289,200.00
Real Property Total									3,638,500.00
Planning and Design Total									737,848.00
Implementation Total									3,530,000.00
Habitat Program Total									7,906,348.00

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 King 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;
- 7) 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:

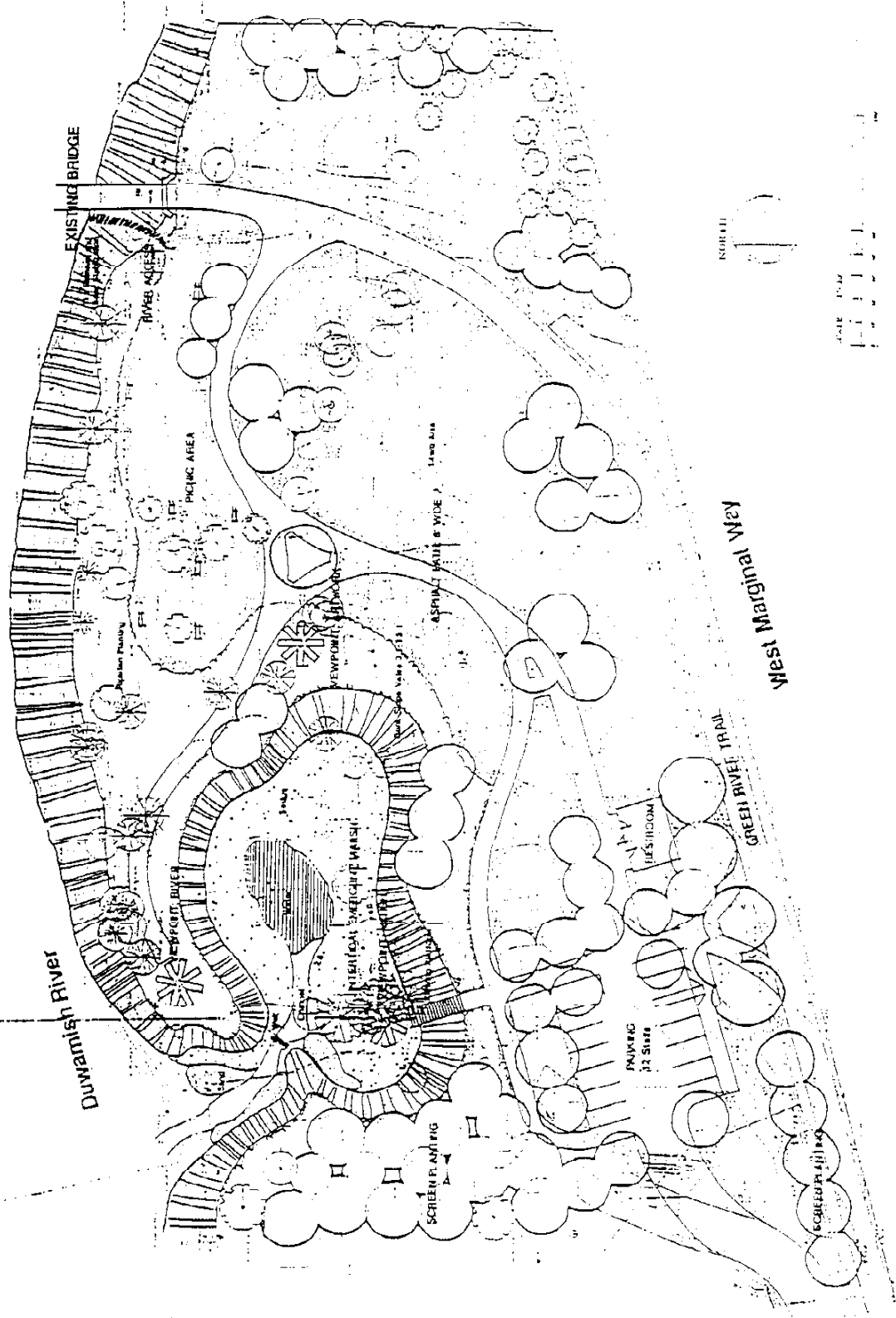
Project costs have been allocated not to exceed \$925,649.00. Please see the draft North Wind Weir Project Budget which includes necessary tasks and associated schedule.

Draft North Wind Weir Project Budget												
Date: 10/9/96												
ID	TASK NAME	SCHEDULE		BUDGET BY QUARTER								
		Start	Finish	To date	4th Qtr. 96	1st Qtr. 97	2nd Qtr. 97	3rd Qtr. 97	4th Qtr. 97	1st Qtr. 98	2nd Qtr. 98	
SITE ACQUISITION												
	Land Purchase				\$108,900							
	Sub Total											
PLANNING AND DESIGN												
	Pre-design	8/1/96	2/28/97	\$1,800								
1	Site Analysis	1/15/97	2/28/97									
2	Geotechnical analysis	1/15/97	2/28/97		\$10,742							
3	Contaminants survey	1/15/97	2/28/97		\$22,000							
	Design and Review	9/15/96	1/13/98									
4	Schematic	9/15/96	1/13/97									
10	Draft Design Development	1/15/97	3/1/97			\$15,411						
14	Environmental Compliance	5/1/97	9/1/97				\$15,411					
15	SEPA/NEPA Draft Doc. Prep	5/1/97	6/1/97					\$11,563				
23	JARPA Application	6/1/97	10/1/97									
18	Construction Documents	6/1/97	1/15/98									
19	90%	6/1/97	1/15/98						\$7,706			
22	100%	11/1/97	1/15/98							\$7,706		
	Sub Total			\$1,800		\$48,153		\$26,974	\$7,706	\$7,706		\$36,375
CONSTRUCTION												
28	Construction Contract	3/15/98										
31	Construction Phase Mgmt.	7/1/98	11/1/98									
	Sub Total	3/15/98	12/1/98									\$36,375
POST CONSTRUCTION												
32	Monitoring	2/15/99	8/15/09									
34	Stewardship/maintenance	12/1/98										
	Sub Total											
TOTAL BY QUARTER				\$1,800		\$48,153		\$26,974	\$7,706	\$7,706		\$36,375

*

No Contingency - ? \$10,000

Draft North Wind Weir Project Bud						
ID	TASKNAME	3rd Qtr. 98	4th Qtr. 98	1999+	Sub Total	TASK TOT
SITE ACQUISITION						
	Land Purchase				\$108,900	
	Sub Total					\$108,900
PLANNING AND DESIGN						
	Pre-design				\$1,800	
1	Site Analysis				\$10,742	
2	Geotechnical analysis				\$22,000	
3	Contaminant survey					
	Design and Review					
4	Schematic					
10	Draft Design Development				\$46,233	
14	Environmental Compliance					
15	SEPA/NEPA Draft Dec. Prep				\$11,561	
23	JARPA Application					
18	Construction Documents					
19	90%				\$7,706	
22	100%				\$7,706	
	Sub Total					\$107,749
CONSTRUCTION						
28	Construction Contract	\$277,500	\$277,500		\$555,000	
31	Construction Phase Mgmt.	\$36,371	\$24,250		\$97,000	
	Sub Total					\$652,000
POST CONSTRUCTION						
32	Monitoring			48000	\$48,000	
34	Stewardship/maintenance			9000	\$9,000	
	Sub Total					\$57,000
TOTAL BY QUARTER		\$313,875	\$301,750	\$57,000	\$925,649	\$925,649



Schematic Plan: Option 1
 OCTOBER 4, 1964

NORTH WIND WEIR PARK

4.1.2 Duwamish/Hamm Creek (City Light North):

Location/Description and Background: 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 borders the site.

Scope:

Goals: The project will improve habitat conditions in the Turning Basin vicinity
by:

- 1) Increasing the amount and availability of vegetated (marsh) and 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 shrubs.
- 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.

- 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.**
- 11) **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	04/15/98	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
<u>King County Surface Water Management</u>	<u>104,000.00</u>
TOTAL	\$3,247,000.00

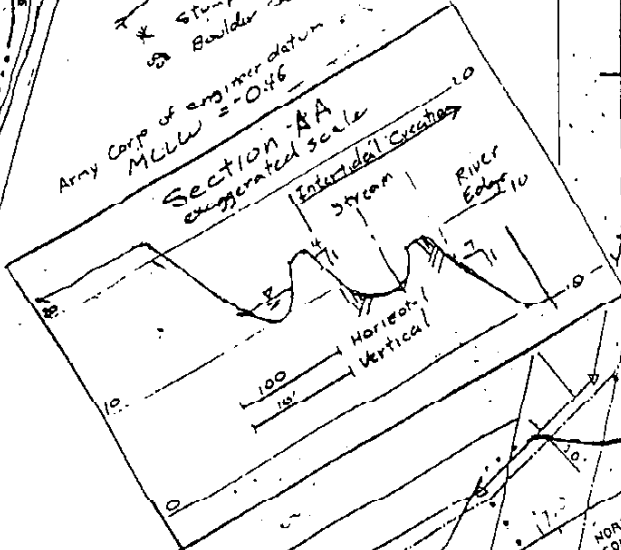
* The Elliott Bay/Duwamish Restoration Panel has obligated (by Resolutions 1994-13, 1995-08, 1995-10, 1995-18, and 1995-27 up to \$10,100.00 of planning and design funds).

DUWAMISH WATERWAY

PROPERTY LI

Handwritten notes: "road at 1-2% introduce", "excavation down", "10 0. existing road", "with left turn."

DELTA MARINE LEASE AREA 4.5 ACRES 197,851.2 SQ. FT.



96TH STREET

WEST MARGINAL WAY PL. SOUTH

DIJWA SUBS

Perimeter Restoration Proposal Duwamish/Hamm Ck



THE AREA BOUNDED BY THE FENCE OF SUBSTATION, THE PROPERTY LINE, THE NORTH LINE AND THE CONDUIT LINE = 4.8 ACRES.

PROPERTY LINE

PROPERTY LINE

NORTH LINE SECTION 4

EASTERLY CONDUIT 230KV. 01ST. LINE

NORTHERLY CONDUIT 230KV. TRANS. LINE

NORTHERLY CONDUIT 230KV. TRANS. LINE

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ASUILT

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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 revetment, 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 the 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.

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.

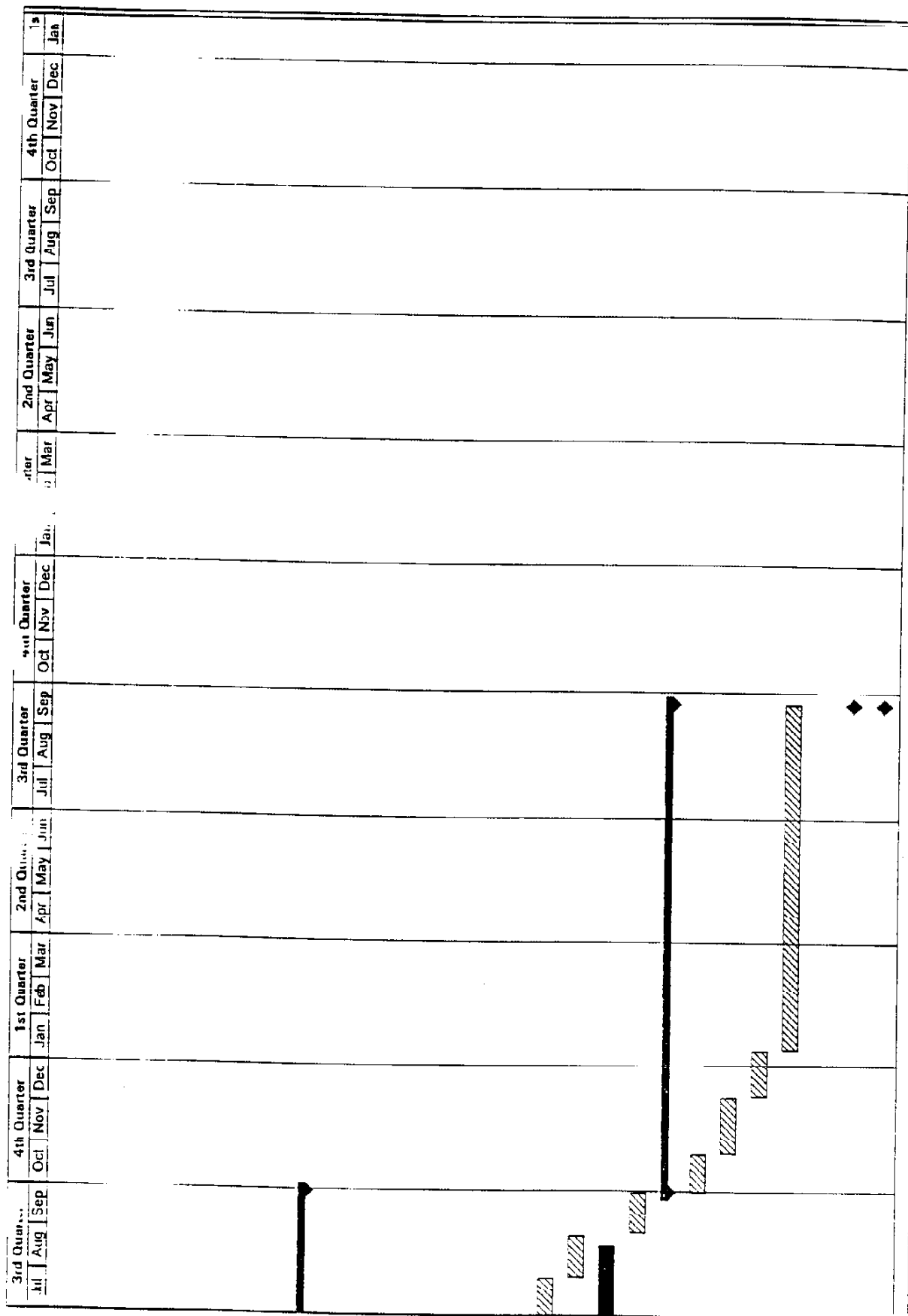
- Revision II ?

27
23

Draft -- Budget for Seaboard Scope
August 7, 1996

ID	TASK NAME	BUDGET BY QUARTER					
		To Date	3rd qtr 96	4th qtr 96	1st qtr 97	2nd qtr 97	3rd qtr 97
1	SITE ACQUISITION						
	Costs to Date						
	Appraisal	20,000					
	Herrera II	47,000					
	Sampling Plan	6,500					
2	Site Analysis - Phase III		16,200	32,800			
	Project Management (During Acquisition)	3,100	6,200	6,200	6,200	6,200	3,100
4	Site Anal Review/Revise						
5	Negotiate Clean-up Plan						
6	Negotiate Land Sale						
7	Panel Approval						
8	City Council Review/Approval						
	Land Purchase						2,166,000
	Sub Total						
9	DESIGN						
	Costs to Date						
	Holland	5,500					
	Corps Phase 1	45,000					
3	Conceptual Design		6,600	13,400			
	Project Design						31,200
11	Preliminary Design						
17	Final Design						
20	Revise Final Design						
14	Environmental Review						
	Permits						
15	Master Use Permit						
16	Shoreline Permit						
	Project Management (During Design)		8,170	8,170	8,170	3,170	8,170
10	Negotiate Design Contract						
12	Public Review I						
13	Panel/Public Review II						
18	Panel/Public Review III						
	Design Administration						
	In-house Design Review						
	Sub Total						
21	CONSTRUCTION						
25	Construction Contract						
	Project Management (During Construction)						
22	Advertise and Bid						
23	Review and Award						
24	Notice to Proceed						
	Construction Management						
	Construction Inspection						
	Interdepartmental Work Orders						
	Sub Total						
26	POST CONSTRUCTION						
27	Post Construction Monitoring						
28	Re-planting						
	Sub Total						
	TOTALS BY QUARTER	127,100	37,170	50,570	14,370	14,370	2,208,470

750



Project:
Date: 8/6/96

Critical  Progress  Summary 
 Noncritical  Milestone  Rolled Up 

4.1.4 Turning Basin Vicinity Project:

Location/Description and Background:

Turning Basin Vicinity, Turning Basin No. 3. The Turning Basin is located at the head of navigation on the Duwamish Waterway. Portions of the area are currently being restored by federal agencies and the Port of Seattle under the Coastal America Partnership.

Scope: The precise tasks associated with the project proposal are somewhat dependent on the option selected (see Section 2 for a full description of the two options). Briefly, Option 1 includes property acquisition and demolition; Option 2 includes property acquisition, demolition, and habitat development.

The tasks associated with Option 1 are as follows:

- 1) **Property acquisition.** The task encompasses all real estate activities and negotiations to sale and transfer of title to the United States in trust for the Muckleshoot Indian Tribe. As stipulated in the project description, transfer of the title from the current owner to the tribe would be dependent on the presence of no on-site contamination or other environmental violations. This task would be coordinated by the Muckleshoot Indian Tribe. Estimated timeframe: approximately 3 months.
- 2) **Demolition and Restoration Permitting.** This task includes obtaining any necessary permits for the demolition of existing structures and piers on the property, as well as those required for regrading the property and revegetating activities. This task will be coordinated by the Muckleshoot Indian Tribe and the U.S. Army Corps of Engineers. Estimated timeframe; 6 to 9 months.

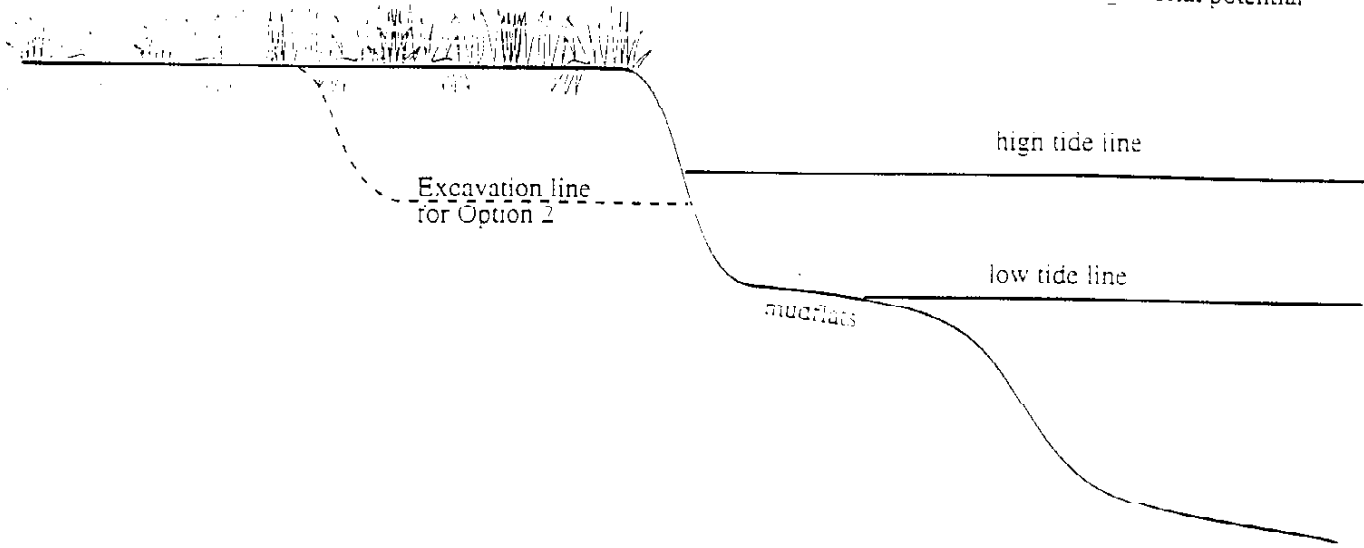
INTERNAL DRAFT -- FOR BUDGET PURPOSES ONLY

Draft Turning Basin Vicinity Project Budget		BUDGET BY QUARTER		BUDGET BY QUARTER		BUDGET BY QUARTER		BUDGET BY QUARTER				
ID	TASK NAME	Start	Finish	1st Qtr. 96	2nd Qtr. 96	3rd Qtr. 96	4th Qtr. 96	1st Qtr. 97	2nd Qtr. 97	3rd Qtr. 97	4th Qtr. 97	1st Qtr. 98
1	Site Acquisition	10/30/96	12/1/97									
2	Site analysis - Phase II	10/30/96	12/1/96	\$33,500								
3	Conceptual design (20%)	10/30/96	12/31/96	\$23,940								
4	Site analysis review	1/1/97	2/28/97									
5	Negotiate purchase	3/3/97	6/3/97									
6	Tribal Council review	10/1/97	12/1/97									
7	Land purchase											
8	Acquisition proj. mgmt. (40%)			\$5,760	\$5,760	\$5,760	\$5,760	\$5,760	\$5,760	\$5,760	\$5,760	\$5,760
9	Design	7/1/97	10/15/98									
10	Negotiate design contract	7/1/97	9/1/97									
11	Preliminary design (20%)	9/2/97	10/31/97									
12	Panel/public review	11/3/97	12/15/97									
13	Environmental review	12/1/97	1/30/98									
14	Tribal permit	2/2/98	1/1/98									
15	Final design (60%)	2/2/98	4/1/98									\$71,820
16	Panel/public review	4/2/98	5/15/98									
17	Corps/AEPA permits	3/16/98	8/14/98									
18	Revise final design	9/15/98	10/15/98									
19	Design proj. mgmt. (40%)											
20	Construction	10/16/98	8/15/99									
21	Advertise and bid	10/16/98	11/15/98									
22	Review and award	11/16/98	12/15/98									
23	Notice to proceed	12/16/98	1/15/99									
24	Construction	1/18/99	8/15/99									
25	Construction proj. mgmt. (20%)											
26	Post Construction	8/15/99										
27	Monitoring	2/15/00	8/15/10									
28	Stewardship/maintenance	8/15/99										
TOTAL BY QUARTER				\$63,200	\$5,760	\$10,560	\$225,000	\$5,760	\$5,760	\$4,800	\$259,500	\$76,620

Figure 2. Summary of Proposed Options

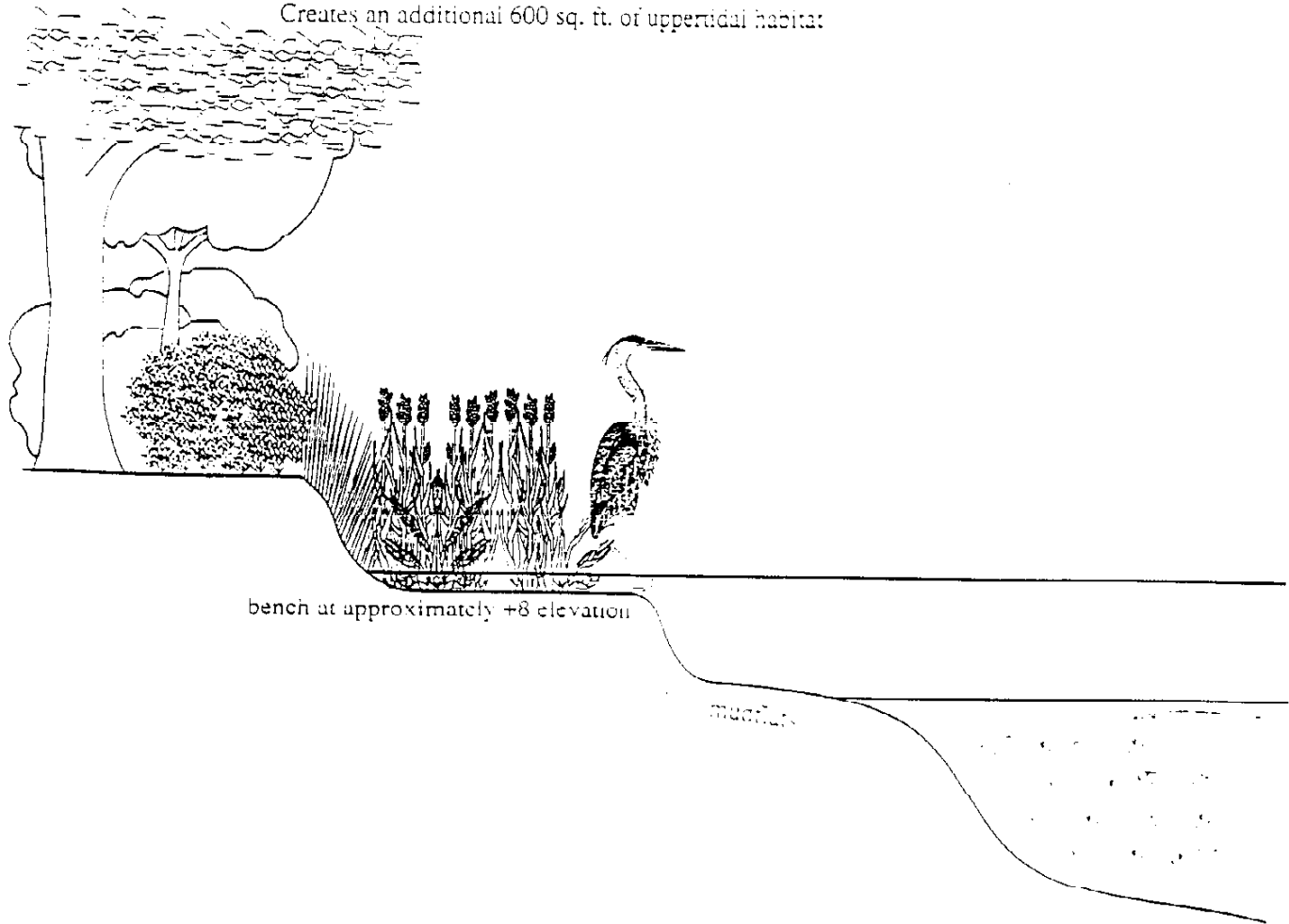
OPTION 1. Profile of Existing Contours

Removes asphalt, concrete and commercial structures to maximize existing habitat potential



OPTION 2. Property After Construction/Habitat Restoration

Creates an additional 600 sq. ft. of upper tidal habitat



4.1.5 Elliott Bay Nearshore:

Location/Description and Background:

The West Seattle shoreline of Elliott Bay with a southern boundary north of Salty's restaurant to a point west of the Duwamish Head light; various types of habitats will be considered from the upper intertidal to a depth of approximately 50 feet.

King County Department of Natural Resources' Water Resources unit has been selected as the project manager.

Scope:

Goal: The goal of the Elliott Bay Nearshore Habitat Substrate Enhancement project is to improve nearshore marine habitat conditions by enhancing productivity of epibenthic fauna, increasing the distribution and density of macroalgae and other primary producers, and improving the attributes that support resident and migratory marine and estuarine fish species.

Objectives:

- 1) Increase diversity of bottom substrates.
- 2) Increase the area of limiting hard bottom substrates.
- 3) Provide intertidal substrates at proper horizons for eelgrass.
- 4) Increase the volume of physical protective structures for juvenile and adult resident invertebrates and fishes.
- 5) Increase hard structure surfaces for macroalgae.
- 6) Remove undesirable bottom debris.
- 7) Provide substrate improvements that are compatible with commerce, navigation, tribal and sport fishing and recreational shoreline uses.
- 8) Provide public education and involvement opportunities.
- 9) Provide information useful to subsequent substrate enhancement projects.
- 10) Design improvements to be sustainable.

Performance Work Statement:

King County has assembled a core team to assist the Panel in:

Assessing, mapping and documenting shoreline, tidal and substrate areas for existing potential, and historical biodiversity and biological functions. (A great deal of this information has been attained by the Panel through the Washington State Department of Fisheries)

Selecting several specific locations to construct the substrate enhancement meeting the above objectives.

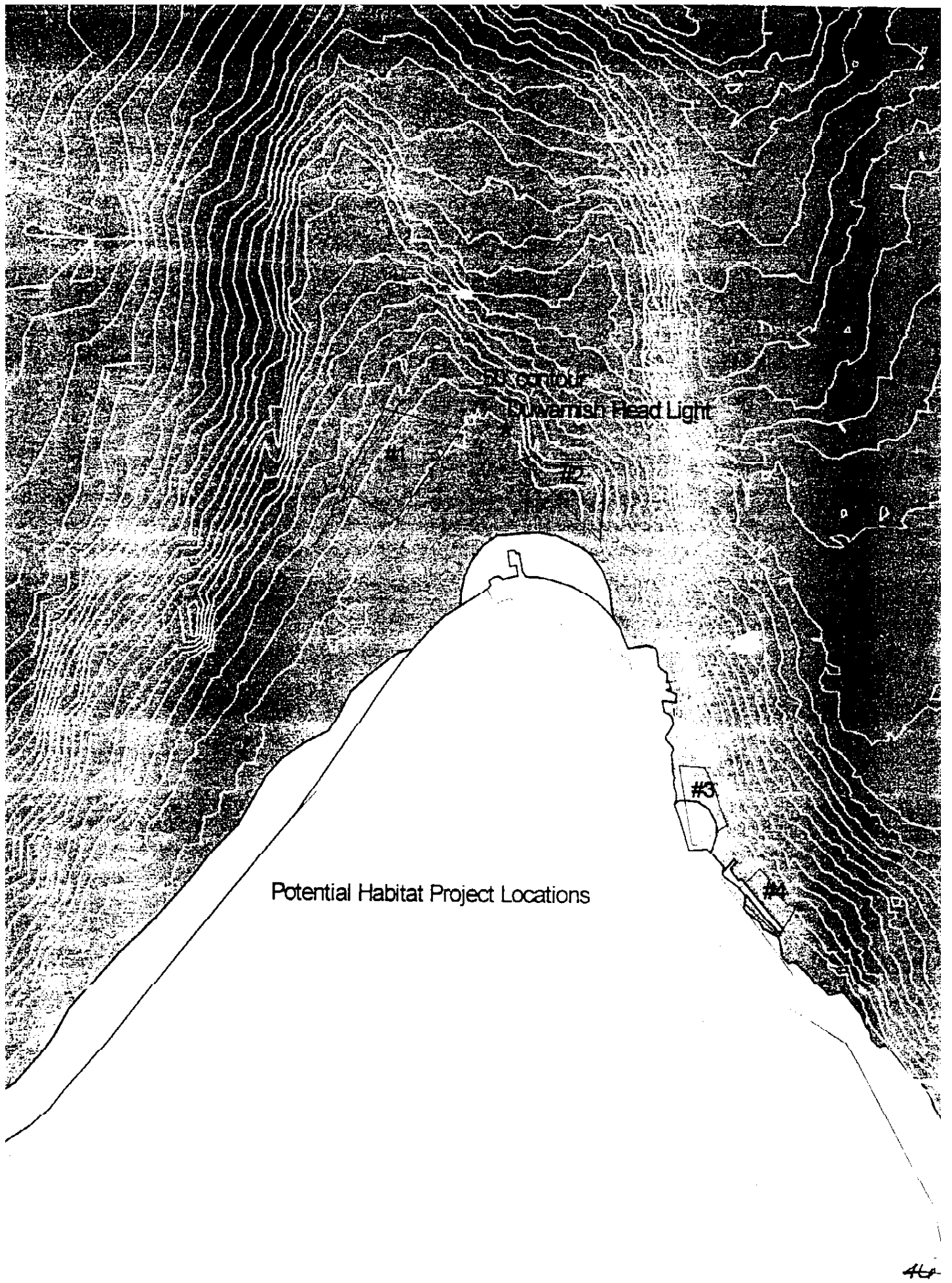
Identifying alternative methods to construct, place or locate, seed and promulgate substrate environs;

Designing long term habitat monitoring and maintenance program;

Developing and implementing a public and agency coordination process;

Providing a public education and participation process (stewardship) in evaluating and assessing the project area, including project design and development; and

Project cost accounting, coordination and scheduling.



Silverfish Head Light

Potential Habitat Project Locations

#3

#4

OPTION C: TASK DETAIL

	Basic Proposal <u>Recommendations</u> *	<u>Add Ons</u>
SITE CHARACTERIZATION		
Select Sites See attached map: proposed sites	Three Sites	Additional
Characterize Sites (3-4)		Additional
Parameters		
Project boundaries	X	
Site/control site boundaries (4)	Shuman Map GPS	
Current Substrate	PSD, Buckley Shuman	
Depth	Map X	
Slope	Arc Info/Student Shuman, Buckley	
Sediment Contamination	3 Composites, Ecol, Shuman/ Buckley	
Eel grass beds	General, Stark	
Water Quality	ETS, Stark	
Waves/Currents	Buckley, EBM EIS	
Biota	Species list from video Maps(DNR, Sea.Kroll)	
Property ownership	Diving, Metro/Seattle maps	
Constraints, e.g Utilities, navigation, fishery	tribes, CG	Other parameters
Obtain Information		Lit. Review Local, Beyond Consultant
Project Constraints	Hab. Group, Maps	
Project Experience	Review local studies Hab. Group brainstorm	
location		
design		
species to encourage	Objectives	
juvenile fish		
salmonids		
prey epibenthic species		

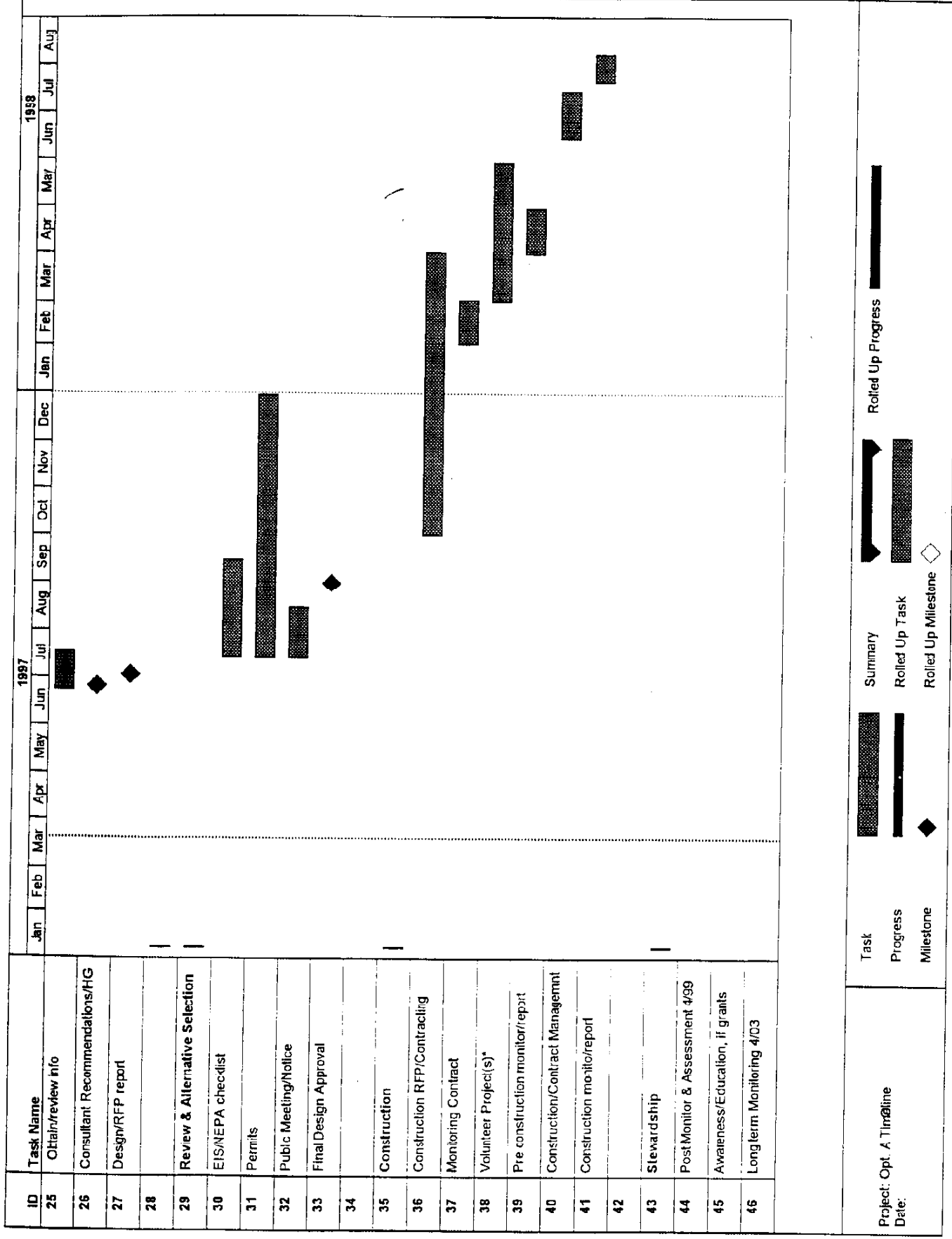
*Source of information or recommendation		
substrate	Coarse, cobble, boulder	Other, e.g shells, cement
depth	30-50 ft. (60 DHW)	
stability (currents, slope)	Velocity/direction	Deposition
eel grass	Beyond 20-30 ft.	
effects on unimpacted area	Design spaces	Add study

ANALYSIS AND DESIGN

<u>Tasks</u>	<u>Basic</u> Staff recommendations based on info, Hab.Group brainstorm	<u>Add-on</u> Consultant develop alternatives
Id suitable sites w. controls re. above eg. depth, slope, current, size, constraints, eel grass, uses	e.g. 20-50ft.	additional sites
Rec. configuration/placement	e.g. E shape, bands Map	add. specifics
Determine target species	Objectives, see above resident salmonids juvenile epibenthic prey (selected)	non-prey
Identify new substrate, e.g.	E.g. cobble & boulder Bay balls, if grant Art, if grant, parameters Bay balls, if grant	Substrate other types specifics
Recommend evaluation plan (See below)	Staff/Hab Group	Consultant
Site plans/map	Map	More detail
Review and comment	Limited consultant Hab. Group/EBDRP	Consultant
Environmental Review		
Permits and checklist		More if EIS
Public Meeting	Site, substrate o.k. (earlier?)	

IMPLEMENTATION

	<u>Basic</u>	<u>Add On</u>
Decision making		
One public meeting/public notice	Staff presentation Pub. Involve Group	Additional
Two EBDRP decision points SSB Design selection		Additional
Construction	3 sites (1.5+ ac.)	Additional if bid or grant allow
<u>Tasks</u>		
Price substrate materials options Mixed coarse, Cobble and boulders Recycled materials, if no extra cost		
Purchase/Load/Transport/ Place Coordinate w. Bay Balls, art	If within budget	If grant funds cover costs. construction storage transport
Stewardship		
<u>Tasks</u>	<u>Basic</u> None	<u>Add-On</u> Apply for additional grants
Bay Balls and/or art Apply for/manage grant Construct, Store, transport Bay Balls Publicize Coordinate with construction location (e.g. intertidal, West)size		
Interpretive signs Apply for grant, implement		
Long term monitoring Volunteer diving/video Counts / Volunteers Analysis and Reporting		



BUDGET ESTIMATE/OPTION C		1997	1998	Total	Additions*/ Modifications
Planning & Design					
Site Analysis					
.12 FTE @1 FTE@\$62,000		8,040			8,040
.25@\$45,000		11,250			
100% overhead		19,310			8040
Monitoring*		6,000			
Analysis & Design					
Consultant Contract		2,600			15,000
Contracting					1000
Permitting					
SEPA/NEPA		3,000	3,000		
.05 FTE /yr.					
Permits		5,000			
Project Planning					
2 FTE@ \$62,000		12,400			
overhead @ \$62,000		12,400			
Sub Total		80,000	3,000	\$83,000	
Implementation					
Construction					
Contract			133,600		Add, if grant
Contracting			5,000		
Property Right of Entry			0		2000
Project/Contract Management					
4 & .55 FTE & @\$62,000		24,800	34,100		
100% overhead		24,800	34,100		
Monitoring					
Pre/Post monitoring		6,000	2,000		5000 +/-
Analysis/Reporting					
.15 FTE			9,300		
100% overhead			9,300		
0+12 Evaluation			6,000		5000 +/-
Sub Total		55,600	233,400	289,000	
Contingency		0	0	0	10%
Grand Total				\$372,000	
*Proposed, if additional sources of funds					

4.2 Sediment Remediation Projects

SEDIMENT REMEDIATION \$ w/o Amendment										
	1992/1993	1994	1995	1996	1997	1998	1999	2000+	Project Total	
Central Waterfront										
Site Investigation			412,000.00							412,000.00
Recontamination Study			30,000.00							30,000.00
Clean-up Study Documents				81,600.00						81,600.00
Sample Collection/Analysis				15,000.00						15,000.00
Consultant Selection										0.00
Consultant Contract (CDE 1922,000)										0.00
Design										0.00
Permitting/Env. Process										0.00
Project Management										0.00
Planning and Design Subtotal			442,000.00	106,600.00	0.00	0.00	0.00	0.00		648,600.00
Unencumbered Implementation Funds*										2,859,100.00
TOTAL										3,405,100.00
Diagonal Duwamish										
Screening	43,800	7,000.00	4,600.00							55,300.00
Site Investigation	28,000	128,000.00	51,000.00	1,190,000.00						324,000.00
Clean-up Plan		8,000.00	49,000.00	180,000.00	128,950.00					345,950.00
Permitting										0.00
Planning & Design Subtotal	71,800	141,000.00	104,500.00	278,000.00	128,950.00					723,210.00
Unencumbered Implementation Funds*										3,943,000.00
TOTAL										4,668,250.00
Norfolk										
Screening	18,000.00	88,000.00	96,000.00							180,000.00
Site Investigation		5,000.00	25,000.00	122,000.00						152,000.00
Clean-up Plan				41,000.00	50,000.00					91,000.00
Permitting										423,000.00
Planning and Design Subtotal	18,000.00	71,000.00	120,000.00	163,000.00	50,000.00					1,192,000.00
Construction				10,000.00	1,152,000.00					1,162,000.00
Monitoring								110,000.00		110,000.00
Management										19,000.00
Subtotal				10,000.00	1,168,000.00			110,000.00		1,278,000.00
Unencumbered Implementation Funds*										1,701,000.00
TOTAL										1,701,000.00
Pier 53-55										
Site Investigation	56,000.00									56,000.00
Clean-up Plan										0.00
Permitting	18,000.00									18,000.00
Planning and Design Subtotal	74,000.00									74,000.00
Construction	82,000.00									82,000.00
Monitoring	184,000.00	500.00		84,000.00				12,000.00		330,500.00
Management										0.00
Subtotal	226,000.00	500.00		84,000.00				12,000.00		352,500.00
Unencumbered Implementation Funds*										466,500.00
TOTAL										1,770,850.00
Planning & Design Total										8,470,000.00
Implementation Total										10,240,850.00
Sediment Program Total										

* Can not be spent w/out the availability of additional planning and design funds.

4.2.1 Pier 53/55 Sediment Cap and Natural Recovery Area

Location/Description and Background:

In March 1992, contractors for the U.S. Army Corps of Engineers placed 22,000 cubic yards of clean sand offshore of Piers 53, 54, and 55 in Elliott Bay on Seattle's downtown waterfront, capping 4.5 acres of chemically contaminated bottom sediments. This action, known as the Pier 53/55 Project, was the culmination of 4 years of study and planning by many agencies, including the City of Seattle Department of Engineering, the King County Department of Metropolitan Services (County), the U.S. Army Corps of Engineers (Corps), the Washington State Department of Ecology (Ecology), the Washington State Department of Natural Resources (DNR), the Washington State Department of Fisheries, and the U.S. Environmental Protection Agency (EPA).

The project site is an east-west-trending rectangular and trapezoidal area located offshore of Piers 53, 54, and 55. This site is west and slightly north of the intersection of Madison Street and Alaskan Way in downtown Seattle. The project consists of a 3-foot-thick sediment cap covering 2.9 acres farthest offshore and an experimental 1-foot-thick enhanced natural recovery area (ENR) covering 1.6 acres nearshore.

Planning for a remediation project along the Seattle waterfront began as part of the County's (formerly Metro) Toxic Sediment Remediation Program, which was formed to coordinate and plan multiagency planning efforts to clean up contaminated sediments in Elliott Bay and the lower Duwamish Estuary.

Planning for remediation was suspended when the National Oceanic and Atmospheric Administration (NOAA) filed a lawsuit against the City of Seattle and Metro in 1990. After the lawsuit was settled, planning for a remediation project in Elliott Bay was revived. The Pier 53 site was chosen when the City of Seattle expressed a willingness to take the lead in implementing a capping project at the site and the Corps was willing to provide capping sand from routine maintenance dredging in the Duwamish River.

No effort was made to reassemble the interagency committee. Instead, the City of Seattle and Metro decided to develop plans and coordinate agencies during the permit process. The Corps was committed to complete dredging in the Duwamish River by the end of 1992 and would dispose of the sand at the open water disposal site in Elliott Bay if no beneficial capping project was possible.

After the Pier 53 sediment cap was installed, the project was presented to the Panel. The Panel reviewed the project and, after deciding it met the Panel's criteria for a sediment remediation project, declared that the project was eligible for in-kind credit toward the settlement. (Resolution 1992-20). The management of the Pier 53 project then proceeded under the direction of the Panel, with the City of Seattle as the project sponsor. Metro (King County) agreed to conduct the monitoring program, which was established during the permitting process.

The purpose of the monitoring program is to define how stable the cap is, how well it is functioning to isolate the contaminated sediments, whether the cleanup continues to meet the state sediment standards, and how the cap is biologically repopulated. It is also a means to evaluate the rate of possible recontamination. Monitoring will continue through 2002.

Scope:**Objectives for the Monitoring Plan:**

Provide baseline taxonomic data.

Guide and document the sediment placement, thickness, and long term stability.

Document how well the three foot cap and the enhanced natural recovery area function to isolate contaminated sediments from migrating upwards into the cap, and to document the extent of that contamination if it occurs.

Identify whether chemicals accumulate on the remediation site such that they indicate migration of materials from off-site.

Determine the amount and type of benthic recolonization that occurs on the project site and determine whether there are differences in the character and rate of recolonization between the three foot cap and the one foot thick enhanced natural recovery area.

Review and evaluate the monitoring data with the regulatory agencies to determine 1) if the three foot cap is functioning as expected to isolate contaminated sediments; 2) if a one foot layer of sediment will function as expected such that biological mixing occurs to enhance natural recovery; 3) whether further actions are warranted for either the capping site or the enhanced natural recovery area.

To provide data that may inform and assist the NOAA panel and other agency teams in developing future clean up plans for Elliott Bay.

Performance Work Statement (Tasks) and Schedule: see following pages

Table I. Summary Schedule of Monitoring Activities for Pier 53 Capping

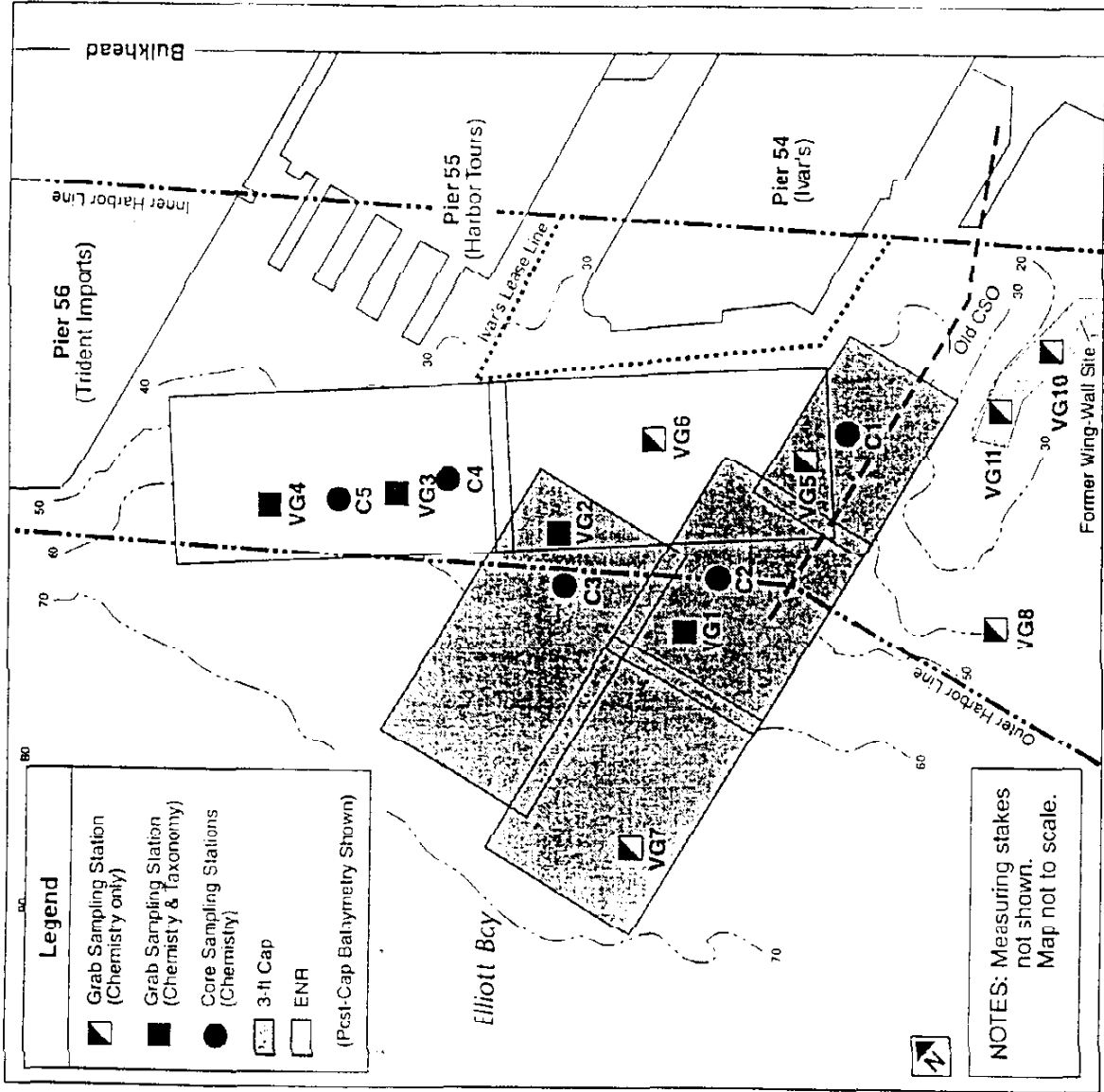
DESCRIPTION OF ACTIVITY	Construction Phase		Ten Year Plan Post Cap Monitoring										
	1992		1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002*
Set Bottom Stakes	X												
Bottom stake measurements by diver		X		August									August
Sediment cores for chemistry, 5 stations total													August
3 stations on 3' cap (5 depth segments)			May	August									August
2 stations on enhanced natural recovery area (2 or 3 depth segments)			May	August									August
Surface grabs for chemistry - adjacent to site, 8 stations (3 stations top 2 CM + top 6 CM) (3 stations top 2 CM only)			May										
Surface grabs for chemistry, 7 stations on project site (top 2 cm)			May	August									August
Surface grabs to document taxonomy prior to project work		X											
2 stations													
Surface Grabs for taxonomy:													
2 stations on enhanced natural recovery area			August	August									August
2 stations on 3' cap			August	August									August
REMOTS camera survey			August	August									August
Monitoring report for given year (due January of following year)			X	X									X
Monitoring review meetings			X	X									X
Four year project review													X

NOTES:

- a) Baseline sampling will be conducted as soon as practical within the first three months after cap placement.
- b) Monitoring review meetings may be held within the first two months of subsequent year.
- c) *Decision to sample in 2002 will be based on meeting in 1996.
- d) Sampling targeted for August may also be completed in September, if necessary.

The Pier 53-55 Sediment Cap 1993 Monitoring Costs

Monitoring Report (Draft and Final)			
	Hours	Rate	Cost
Data analysis, data interpretation, research, writing			
Scientist	460	42.00	19,320.00
Illustrations			
Illustrator	175	48.00	8,400.00
Editing			
Editor	93	55.00	5,115.00
Project manager Review			
Scientist	25	44.00	1,100.00
Printing (15 draft copies 25 final copies)			757.00
		Report Costs. Reso 94-01	34,692.00
Stake Measurement			
	Days	Rate	Cost
Vessel and crew of 3	1	1500.00	1,500.00
Diver and support boat	1	1200.00	1,200.00
Core Samples			
Field sampling (5 cores plus replicate)			
Vessel and crew of 4	2	2000.00	4,000.00
Diver and support boat	2	1200.00	2,400.00
Core tubes			1,800.00
Surface Grab Samples			
Field sampling (10 stations plus replicate)			
Vessel and crew of 3	2	1500.00	3,000.00
Benthic Taxonomy			
4 stations @ 5 reps Vessel and crew of 4	1	2000.00	2,000.00
Total Station (includes preparation and data reduction)	4.5	500.00	2,250.00
Analytical			
	Samples	Rate	Cost
Conventionals	24	106.00	2,544.00
Organics	24	600.00	14,400.00
Metals	24	175.00	4,200.00
Benthic Taxonomy Screening Preserving and Shipping	20	200.00	4,000.00
Benthic Taxonomy Identification	20	200.00	4,000.00
Quality Assurance Review			
	Hours	Rate	Cost
Data Reduction			
QA officer	20	50.00	1,000.00
QA Narrative			
QA officer	10	50.00	500.00
Project manager Review			
Scientist	8	40.00	320.00
		Subtotal Sampling Costs	49,114.00
		Total	\$83,806.00



NOTES: Measuring stakes not shown. Map not to scale.

Norfolk CSO

Location? Description and Background:

The Norfolk outfall is located in the Duwamish River above Turning Basin No. 3, south of Seattle in the City of Tukwila and parallels the southern boundary of the Boeing Development Center and Boeing Field. The City of Seattle's 84-inch-diameter overflow outfall originates at the King County Norfolk Regulator Station that receives sewage from the Norfolk drainage basin. Recent modeling efforts have determined that the estimated annual average overflow volume is 70 MG per year and will be reduced to about 7 MG per year when the new Henderson Diversion structure is fully operational in 1997.

In 1994, a four document Cleanup Study Plan was prepared consisting of the Work Plan, the Sampling and Analysis Plan, the Health and Safety Plan, and the Public Participation Plan. These documents underwent Public review and were approved by the EBDP Panel. Three Phases of Site Assessment sampling were conducted from 1994 to the end of 1995 to define chemical conditions in surface sediments and at depth below the surface. This information was presented in a draft Site Assessment report that identified the following 4 chemicals of concern: Mercury, PCBs, Bis (2-Ethylhexyl) phthalate and 1,4-Dichlorobenzene. A preliminary sediment remediation site boundary was developed based on the composite boundary of where any of the 4 chemicals exceeded the Sediment Quality Standard (SQS). Ultimately the site boundary was expanded beyond the SQS boundary and out to where PCBs were not detected in the sediment samples except at the downstream boundary where a wood piling wing wall provided a physical boundary.

Scope:

Goal:

The Norfolk project will remove from aquatic life and human exposure the contaminated sediments associated with the site boundaries.

A preferred approach for sediment remediation was selected after evaluating several potential options and was presented in the Norfolk CSO Sediment Cleanup Study Report issued in October 1996. The preferred alternative was mechanical dredging with a clamshell bucket. Dredged sediment would be placed on a barge for dewatering and transported down river to where the sediment would be offloaded directly into lined containers for shipment to one of three possible disposal sites. The preferred disposal option is heat processing and recycling of the material at Holnam Cement Plant. However, some material with PCB values between 20 to 50 ppm will need to go to a class D hazardous waste landfill and a small amount with PCB values above 50 ppm will need to go to a dangerous waste landfill. After completing the dredging, the excavation area would be back filled to the original grade with sediment of similar characteristics to rapidly restore habitat. The estimated total volume of dredging is 7,200 cubic yards.

Ecology evaluated the clean-up proposal and wrote a draft Sediment Management Standards, Cleanup Action Decision document that approved the preferred option. Both the Ecology Decision and the Norfolk Clean-up study report underwent public review and were finalized as proposed. The NEPA and SEPA environmental review processes were completed and the U. S. Army CORPS obtained authorization for the project under the Nation 38 permit for remediation projects. The Shoreline permit was issued by City of Tukwila and access agreements were requested of the property owners Boeing and Washington Department of Natural Resources. Dredging is scheduled for the last part of 1997.

Norfolk Project Planning and Design									
	1992/1993	1994	1995	1996	1997	1998	1999	2000 +	Total
Site Investigation									
Study Plan	19								19
Phase 1 Sampling		57							57
Phase 2 Sampling			72						72
Phase 3 Sampling			13						13
Project Management		9	10						19
Sub Total	19	66	95						180
Clean-Up Plan									
Contracting and Amendment		4	15	10					29
Ecochem				78					78
Contract Management			6	12					18
Project Management		1	4	22					27
Sub Total		5	25	122					152
Permitting									
EA				24					24
Ecochem				5	5				10
Right-of-Way				7	8				15
Shoreline					5				5
Easement					15				15
Contract Management					4				4
Project Management				10	8				18
Contingency									0
Sub Total				46	45				91
P&D Sub Total	19	71	120	168	45				423

Norfolk Project Construction Budget			
	1997	2000+	Total
Bid Documents			
Ecochem	48		48
Contract Management	6		6
Engineering and Divisional Review	6		6
Construction Review	4		4
Sub Total	64		64
Construction			
Dredging Contractor	700		700
Bonding (10%)	70		70
Profit (10%)	77		77
Ecochem Support	37		37
Construction Oversight	16		16
Contract Management	16		16
Contingency	182		182
Sub Total	1048		1098
Construction Sub Total			1162
Monitoring			
Post-Construction		100	100
Project Management	16		16
Construction and Monitoring Sub Total			1278
Total Project			1701

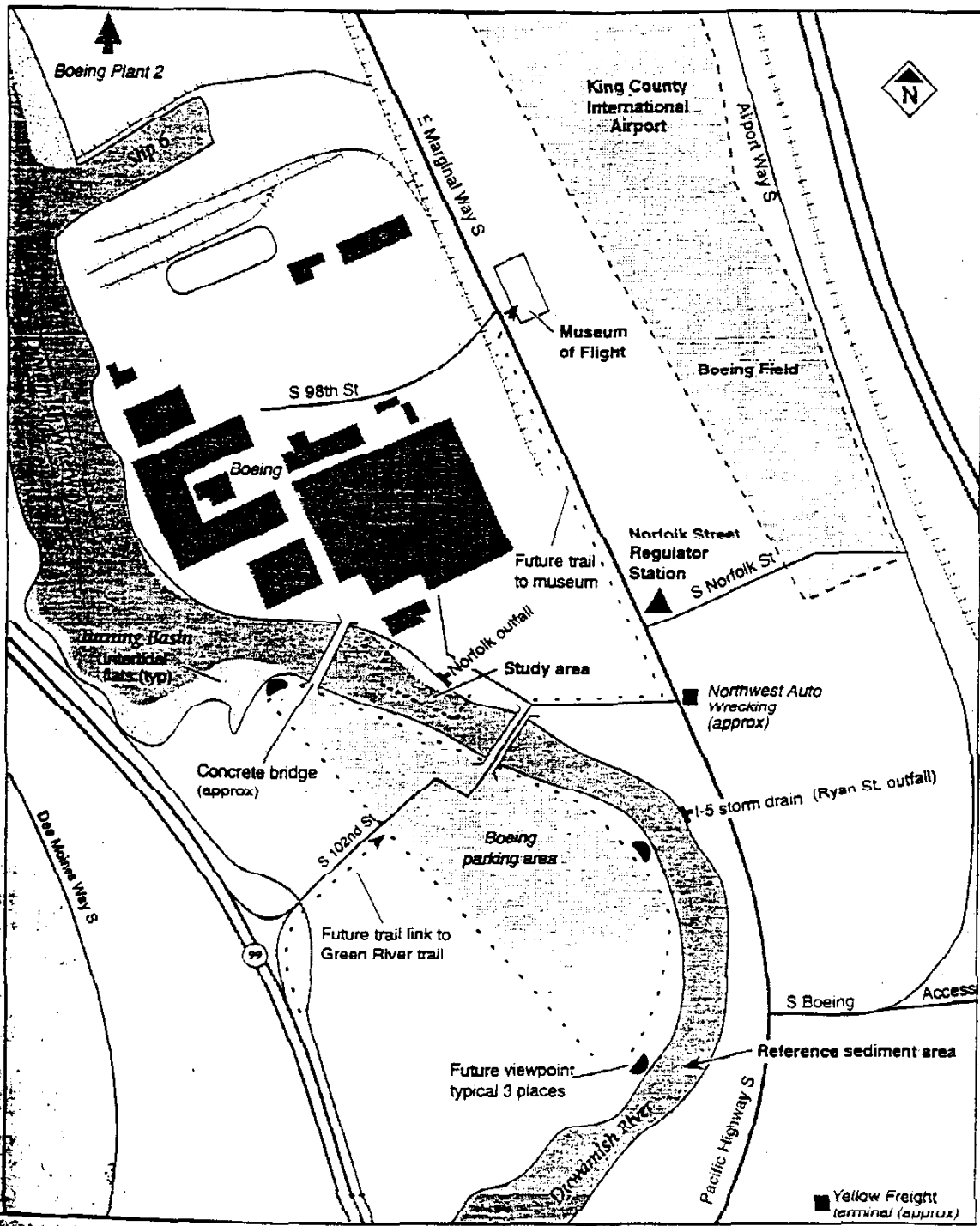


Figure 2-2

Norfolk CSO Sediment Cleanup Study
SITE MAP

USGS, 1973; USGS, 1983; Tanner, 1991; Boeing, 1994.

Diagonal/Duwamish CSO

Location/Description and Background:

The Duwamish and Diagonal outfalls are located in the lower portion of the Duwamish River Waterway upstream of Harbor Island and immediately downstream of Kellogg Island and originate from the east bank. The King County Duwamish outfall is submerged, but recent modeling indicates that overflows have not occurred for many years and should not in the future under normal operating conditions. The City of Seattle Diagonal outfall has a 12 foot diameter outfall structure visible on the shoreline. This outfall currently receives mostly stormwater from both the Diagonal and Hanford drainage basins with a combined average annual volume of about 685 MG per year. Low flow diversion structures were installed in the new storm system to divert low storm flows to the King County collection system for treatment. A CSO control project in 1987 was estimated to reduce the CSO volume from over 300 MG per year down to about 7 MG per year. However, recent data indicate the actual volume is larger and may be 50 - 70 MG per year. Monitoring is proceeding to verify the actual volume.

In 1994, a four document Cleanup Study Plan was prepared consisting of the Work Plan, the Sampling and Analysis Plan, the Health and Safety Plan, and the Public Participation Plan. These documents underwent Public review and were approved by the EBD RP Panel. Three Phases of Site Assessment sampling were conducted from 1994 to the end of 1995 to define chemical conditions in surface sediments and at depth below the surface. This information was presented in a Site Assessment Report that identified the following 4 chemicals of concern: Mercury, PCBs, Bis (2-Ethylhexyl) Phthalate and Butyl Benzyl Phthalate.

The primary chemical driving the cleanup boundary for the site was Bis (2-Ethylhexyl) Phthalate, which appears to have values exceeding the Cleanup Screening Level (CSL) extending for a long distance both upstream and downstream of the discharge pipes. The strategy developed to close the upstream and downstream boundary was to conduct bioassay testing at a few stations and these were established to be non-toxic. The offshore boundary was set at the edge of the dredged channel.

Scope:

Goals:

The Diagonal/Duwamish project will remove from aquatic life and human exposure the contaminated sediments associated with the boundaries.

The cleanup alternatives for this project have not been evaluated yet because work was suspended due to lack of planning and design funds for sediment projects.

Duwamish/Diagonal Project Planning and Design									
	1992/1993	1994	1995	1996	1997	1998	1999	2000 +	Total
Site Screening									
Sediment Sampling	12		4						16
Bathymetry	26	3							29
Project Management	6	4							10
Sub Total	44	7	4						55
Site Investigation									
Study Plan	28								28
Phase 1 Sampling		111							111
Phase 1.5 Sampling			37						37
Phase 2 Sampling				109					109
Project Management		15	14	13					39
Sub Total	28	126	51	119					324
Clean-Up Plan									
Contracting and Amendment		6	23						29
Ecochem				122	199				321
Contract Management			12	15	10				37
Project Management		2	14	23	11				50
Sub Total		8	40	160	220				437
Permitting									
EA					15				15
Contract Amendment					13				13
Ecochem					20				20
Right-of-Way					7	8			15
Shoreline Permit						7			7
Easement						15			15
Project Management					10	3			13
Contingency					10	14			24
Sub Total					75	47			122
P&D Sub Total									938

Duwamish/Diagonal Project Construction Budget			
	1998	2000+	Total
Bid Documents			
Ecochem	65		65
Contract Management	10		10
Engineering and Divisional Review	7		7
Construction Review	5		5
Sub Total	87		87
Construction			
Remediation Contract	3000		3000
Ecochem Support	60		60
Construction Oversight	32		32
Contract Management	20		20
Contingency	520		520
Sub Total	3632		3632
Construction Sub Total			3727
Monitoring			
Post-Construction		200	200
Project Management	24		24
Construction and Monitoring Sub Total			3943
Total Project			4881

OPTIONS FOR HANDING THE ECOCHEM CONTRACT WITHIN P & D CAP

The P & D cap allocated to sediment projects is insufficient to complete the Alternatives Evaluation (AE) Report under the Ecochem contract. Consequently, KCDNR is seeking direction from the SRTWG and Panel for a preferred course of action. One of the three options listed below would allow work to continue on schedule while two of the three involve suspending work for about 9 months until the Consent Decree Amendment is approved to allocate more P & D funds to sediment projects.

OPTION 1: Authorize KCDNR to incur P & D expenses that total \$ 111,000. 00 beyond the current sediment project allocation and consider this a loan from the Habitat P & D allocation until the Consent Decree Amendment is approved. This authorization would allow completion of the AE report plus Environmental review and keep the project on schedule for about another 6 months past February and up through the end of August 1997.

Advantages: -- Avoids stopping the project and delaying construction for one year which could result in increased project costs of about \$ 168,000.

Disadvantages: -- Takes a risk that if the amendment did not pass that one or more Habitat projects would be without P & D funds
 -- The \$ 111,000. authorization requested now will keep the project going for about 6 months after which time another P & D authorization of \$ 118,000. will be needed to complete the permitting and keep the project on schedule for construction in late 1998

OPTION 2: Suspend work on AE report for 9 months until amendment is approved, but first complete a minimum amount of work to get agreement on the cleanup options to be evaluated when work resumes. Ecochem work on DU/DI would be suspended the first part of March 1997.

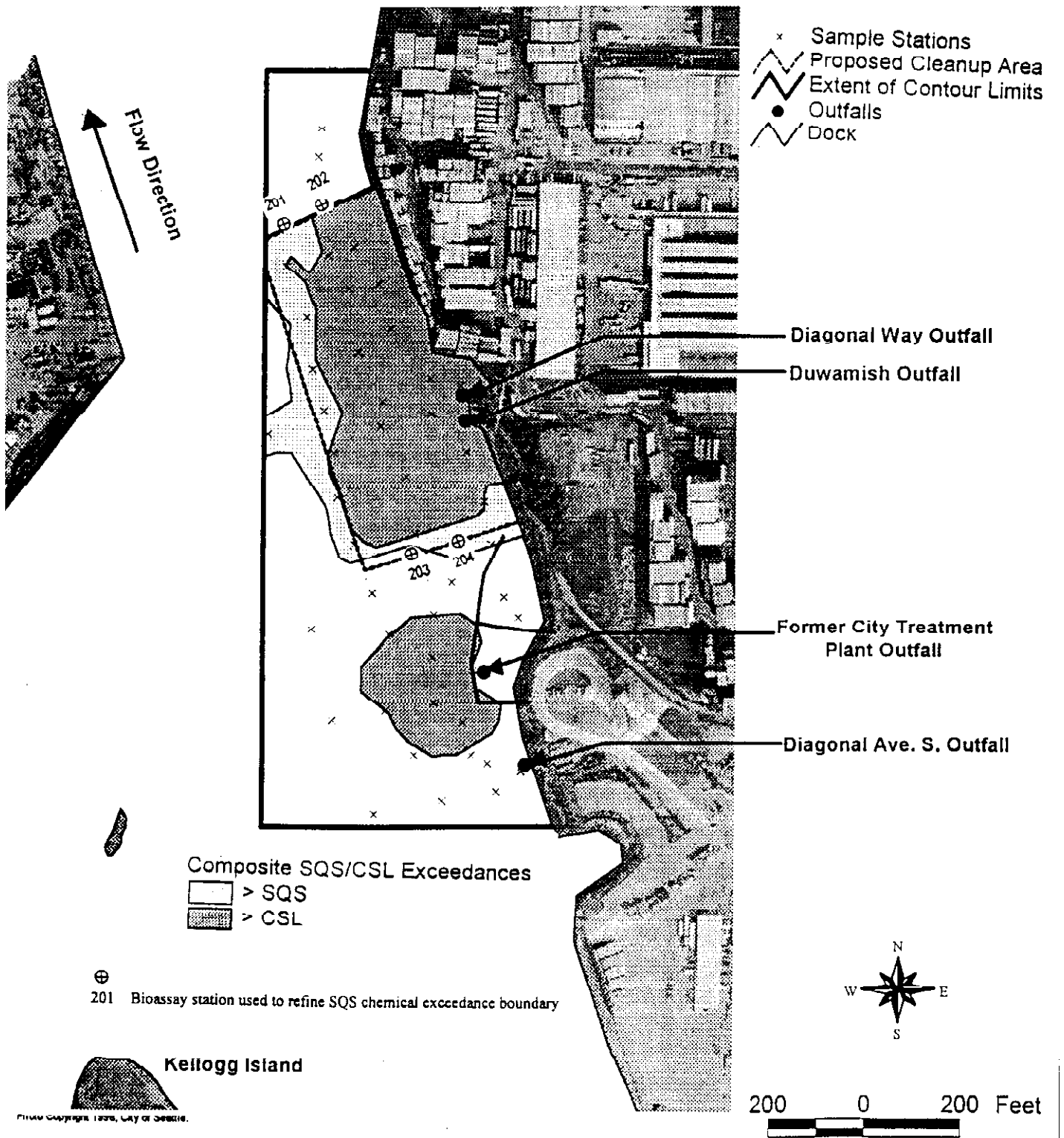
Advantages: -- Stays within current sediment P & D allocation
 -- Allows cleanup alternatives to be set while SA report is fresh in everyone's mind before suspending work

Disadvantages: -- Delays construction one year that can increase construction costs by \$ 157,000. due to a 4.2 % inflation on the construction budget of \$ 3,743,000.
 -- Added Ecochem costs of \$ 11. 45 K for work suspension (\$ 6. 5 K stop & start costs, plus added insurance of \$ 4. 95 K due to loss of cost sharing with Norfolk project)
 -- SA report stays as draft for an additional 9 months until AE report is finalized

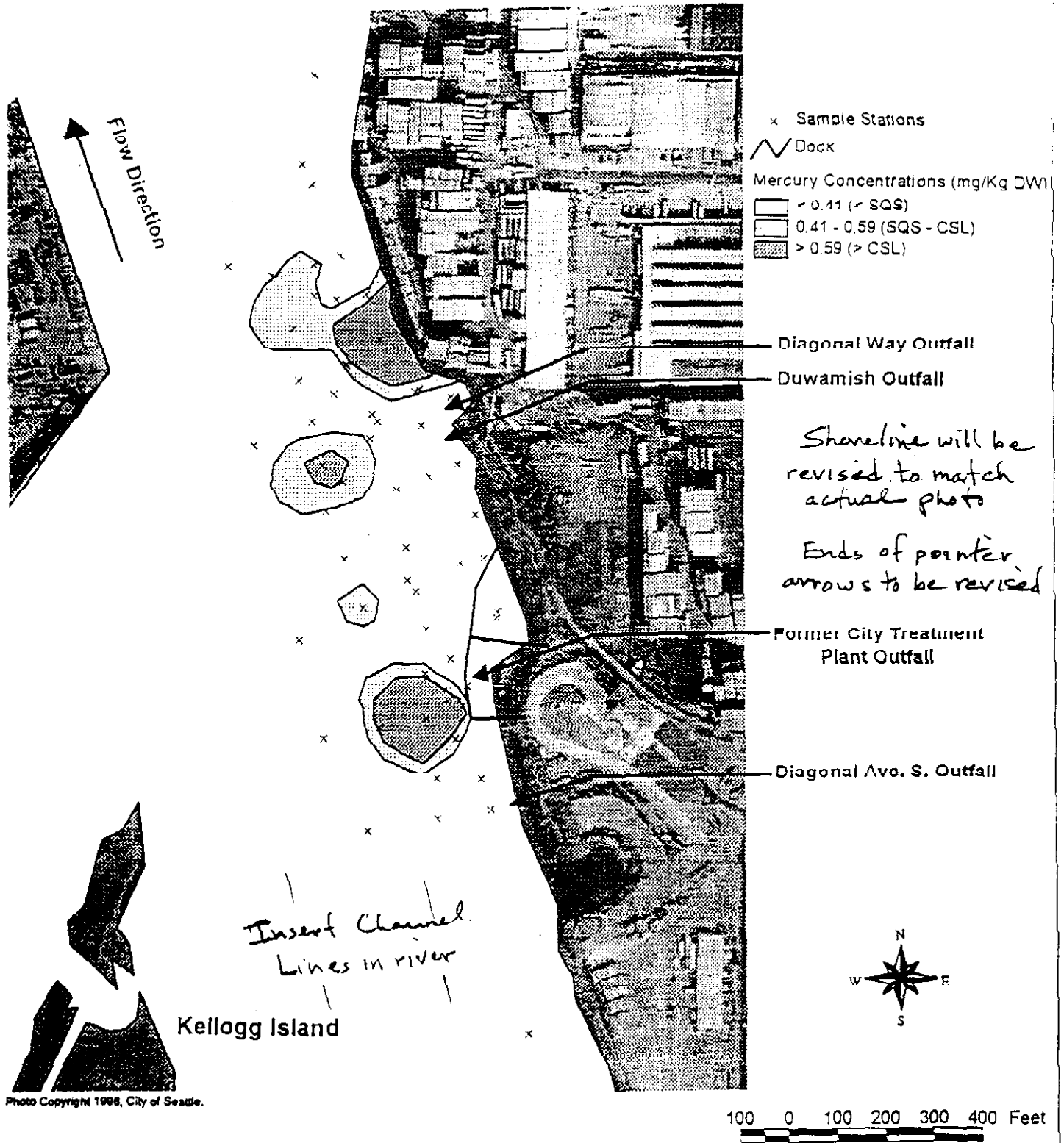
OPTION 3: Suspend work on AE report for 9 months, but first complete the first 3 chapters of the draft AE report (Applicable Laws and Regs; ID and selection of technologies; and Screening of Alternatives) and also produce a finalized SA report that includes revisions relative to SRTWG and Panel review. This work can be accomplished within the current amount allocated for sediment project P & D. The fourth and final chapter of the AE report (Detailed evaluation of alternatives and their costs) will be postponed until additional funds are available to resume work after the amendment is approved. Ecochem work on DU/DI would be suspended mid May 1997.

Advantages: -- Stays within current sediment P & D allocation
 -- Completes several chapters of draft AE report
 -- Provides a finalized SA report as a product before suspending work

Disadvantages: -- Delays construction one year that can increase construction costs by \$ 157,000. due to a 4.2% inflation on the construction budget of \$ 3, 743,000.
 -- Added Ecochem costs of \$ 11. 45 K for work suspension (\$ 6. 5 K stop & start costs, plus added insurance of \$ 4. 95 K due to loss of cost sharing with Norfolk project)



EcoChem Team	Duwamish Diagonal Sediment Cleanup Study	FIGURE 5-9
	Composite SQS/CSL Exceedance Areas	



coChem Team	Duwamish Diagonal Sediment Cleanup Study	FIGURE 1
	Concentration Contours of Total Mercury (mg/Kg DW) in Surface Sediments (0 - 10 cm)	

x What about sediment chemistry numbers and bottom contour lines

4.2.4 Central Waterfront Cleanup

Location/Description and Background:

Recent studies have identified levels of contamination in sediments along the waterfront which exceed the state sediment standards. Mercury and petroleum products showed the greatest exceedences of state standards. Previous studies, conducted by the EPA, Metro (County), Ecology and Hart Crowser (consultants), identified contaminants of concern in the surface sediments along the waterfront, specifically mercury, silver, PAHs, benzyl alcohol, butyl benzyl phthalate, phenol, and benzoic acid.

The full extent to which certain marine organisms are directly affected by the pollutants is unknown. However, it is generally understood that the accumulation of pollutants in the sediment has impaired the habitat value for some life forms. In cases where bottom-feeding fish or shellfish accumulate certain pollutants in their bodies, there may also be a risk to humans who consume these organisms.

Performance Work Statement:

A workplan has been developed and is filed in the Panel's Administrative Record, it is not included here for the sake of brevity.

Please Refer to the next several pages for Scope, Schedule and budget

ELLIOTT BAY/DUWAMISH RESTORATION PROGRAM

CENTRAL SEATTLE WATERFRONT REMEDIATION PROJECT EXECUTIVE SUMMARY

January 23, 1996

The Elliott Bay/Duwamish Restoration Program is a cooperative, intergovernmental program established to help restore natural resources injured by pollution in Elliott Bay and the Lower Duwamish River. The Elliott Bay/Duwamish Restoration Program Panel (Panel) is comprised of representatives from National Oceanic and Atmospheric Association (NOAA), Washington State Department of Ecology (Ecology), U.S. Fish and Wildlife, Muckleshoot Tribe, Suquamish Tribe, the City of Seattle (City) and the King County Department of Metropolitan Services (Metro). The Panel is responsible for implementing the requirements of a consent decree that settled a 1990 lawsuit filed by the U.S. Department of Commerce acting through NOAA against the City of Seattle and Metro. The decree established funds (\$24 million) to be paid equally by Metro and the City for alleged damages to the natural resources of Elliott Bay and the Duwamish River from combined sewer overflows and storm drain discharges.

The Panel established a Sediment Remediation Technical Working Group to identify and prioritize potential sediment cleanup and habitat development projects. Working with the public, the group established an initial list of possible projects, developed criteria and ranked the projects.

The results of the evaluation process, which was partially based on the Washington State Sediment Management Standards (SMS) adopted by Ecology in 1991, ranked three central Seattle Waterfront outfalls (Madison Street, Washington Street and University Street) as high priority project sites.

These sediment standards identified specific contaminant levels below which no adverse effects would be observable in benthic communities, which is the group of organisms that live on or within the top layer of aquatic sediments. This threshold value is called a Sediment Quality Standard (SQS) and varies for different contaminants. The SMS also established Cleanup Screening Levels (CSLs) which represent the upper limit of allowable minor effects on biological resources.

Recent studies have identified levels of contamination in sediments along the waterfront which exceed state sediment standards. Mercury and petroleum products showed the greatest exceedences of state standards. Previous studies, conducted by the EPA, Metro, Ecology and Hart Crowser, identified

contaminants of concern in the surface sediments along the waterfront, specifically mercury, silver, PAHs, benzyl alcohol, butyl benzyl phthalate, phenol and benzoic acid.

These studies found that metal concentrations were fairly low with the exception of mercury, which exceeded Ecology's Cleanup Screening Level (CSL) over a large portion of the site. Organic contaminant concentrations in suspended particulates were found to vary along the waterfront. Vertical profiles in bottom cores in the northern portion of the study area indicate that peak concentrations of most contaminants were located below the surface.

The full extent to which certain marine organisms are directly affected by pollutants is unknown. However, it is generally understood that the accumulation of pollutants in the sediment has impaired the habitat value for some life forms. In cases where bottom-feeding fish or shellfish accumulate certain pollutants in their bodies, there may also be some risk to people who consume these organisms.

Recontamination Study

As the first step in potentially conducting a cleanup along the waterfront, the Panel sponsored a Waterfront Recontamination Study in 1993. The goal of this study was to determine the feasibility of conducting sediment cleanup along the waterfront. The study area focused on the portion of Elliott Bay along the Seattle Waterfront from Pier 46 to Pier 59. The Recontamination Study included a year long field investigation designed to evaluate sources of contamination, transport and circulation patterns, and depositional rates. The study findings include:

- Currents along the waterfront appear to be affected by the ferries idling at Colman Dock and converge from the north and south of the ferry terminal, where water is moved offshore.
- Most ongoing point sources of pollution from outfalls were adequately controlled; however, nonpoint sources may pose some long-term risk to a successful cleanup, and
- Resuspension of existing contaminated surface sediments is the most likely ongoing source for recontamination in the study area.

Based on the current patterns, two large cleanup areas were recommended, one extending from Pier 46 to the south end of Colman Dock (Pier 52) and one extending from the north end of Colman Dock to Pier 59. To prevent recontamination of a cleanup project due to resuspension of nearby

contaminated bottom sediments, the study recommended that any areas that are connected by circulation patterns should be remediated as a whole.

Based on the conclusions and recommendations of the Study that the potential for a successful long-term cleanup was good, the Panel has decided to focus on a cleanup project limited to the waterfront between Piers 52 and 59.

Cleanup Process

The cleanup will follow the guidelines established by Washington State for marine sediment cleanups. A Cleanup Study Plan will be completed, reviewed by the public and approved by the Washington State Department of Ecology. The plan is made up of four documents: the Workplan, the Sampling and Analysis Plan, the Health and Safety Plan, and the Public Participation Plan. The draft Workplan and draft Public Participation Plan are available at this time. The remaining documents will be available in March.

Workplan

The purposes of the tasks described in this Workplan are as follows:

- To determine the plan and approach for a cleanup study investigation;
- To determine the nature and extent of contamination;
- To determine which areas of the site need to be cleaned up; and
- To develop and evaluate a set of feasible cleanup alternatives for cleanup of identified contamination.

The Workplan includes the following main elements: project management and staffing plan, site characterization, source investigation summary, site investigation plan, approach for alternatives assessment and a schedule.

Public Participation Plan

The objectives of the Central Seattle Waterfront Sediment Remediation Project's Public Participation Plan are to:

- Involve the public in project development and implementation to ensure the best project results;
- Inform the public about the cleanup site, studies, alternatives selection, implementation and monitoring; and to
- Encourage public comment about the studies, alternatives selection, implementation and monitoring as these elements are being developed.

At appropriate times during project development, the public will receive notice of public comment/review opportunities. Public notices will be posted

in the following newspapers: the *Seattle Times* and the *Daily Journal of Commerce*. Announcements will be made available to the general news media and to those individuals and groups on the Central Seattle Waterfront project mailing list. Notice of the contract bidding process will be published in the *Daily Journal of Commerce*.

The documents listed above will be available for review at:

- Seattle Public Library -- Downtown Branch (Government Documents Section)
- Seattle Drainage and Wastewater Utility 710 Second Avenue, Suite 660, Seattle
- Washington State Department of Ecology, Northwest Regional Office 3190 160th Avenue Southeast, Bellevue
- National Oceanic and Atmospheric Administration's Damage Assessment and Restoration Center Northwest, Building No. 1, 7600 Sand Point Way Northeast, Seattle

Schedule

The following draft schedule highlights important milestones in the cleanup process. A detailed schedule is included in the Workplan.

Task	Time
Clean Up Study Documents	
Preparation	January - March, 1996
Public Review	March 4 - April 3, 1996
Ecology Approval	April 1996
Sampling and Analysis	
Sample Collection	May/June 1996
Sample Analysis	Summer/Fall 1996
Site Assessment Report	Fall 1996
Feasibility Report	
Assemble and Evaluate Cleanup Alternatives	Fall/Winter 1996
Environmental Assessment	Winter 1996/97
Public Meeting	Spring 1997
Selection of Best Alternative(s)	Spring 1997
Ecology Cleanup Decision	Spring 1997
Permitting	Summer/Fall 1997
Prepare Construction Documents	Fall/Winter 1997/98
Construction	Winter/Spring 1998
Long-term Monitoring	1998 to 2008

Once the Cleanup Plan is completed a Cleanup Study will be completed, which includes conducting the sampling and analysis and selecting the best alternative for cleaning up the project area. Construction and long-term monitoring will then follow

For more information

Please contact Chris Woelfel, project manager, at the Seattle Drainage and Wastewater Utility, 684-7599.

REVISED

Waterfront Clean Up: Project Plan

Prior to conducting any additional sampling along the Waterfront, it is necessary for us to write a Clean Up plan and submit the plan for public review and Ecology approval. The Clean Up plan is comprised of four documents: Work Plan, Sampling and Analysis Plan, Health and Safety Plan and a Public Participation Plan.

I anticipate that all four documents will be ready for public review in March. The proposed budget is shown below.

Task	Staff	Hours	Cost/hr	Total	Total with overhead
Write Work Plan	city C.W.	80	\$20	\$1,600	\$3,488
Write Sampling & Analysis Plan (SAP)*	Metro	*	*	*	*
Write Health & Safety Plan (to be discussed at SRTWG)		*	*	*	*
Write Public Participation Plan	city C.W.	5	20	100	218
Graphics for Work Plan & SAP	city	40	20	800	1,744
Review time for all documents, (5-6 staff members)	city & metro	75	30	2,250	4,905
Incorporate revisions/final editing	city C.W.	20	20	400	872
Printing costs (except SAP)	city				1,000
Meetings: includes prep for 8 SRTWG, 3 Panel and 1 public mtg.	city C.W.	40	20	800	1,744
Project management	city C.W.	40	20	800	1,744
TOTAL		260 hr			\$15,715

* to be submitted at a future meeting

Update on previous budget requests:

8/31/95 84 hours to develop Project Plan. Completed in < 60 hours.

8/31/95 131 hours to develop consultant scope of work. The consultant scope of work has been postponed. It's been determined that the Cleanup documents (this budget request) are more critical to the project timeline than the consultant scope.

City of Seattle

Budget Request for Selecting a Consultant for the Central Seattle Waterfront Project
June 6, 1996

Evaluate Army COE option vs. consultant	500
Evaluate proposals (includes review & mtg time)	9,000
Interview (includes prep & mtg time)	4,000
Misc. project manager time	1,000
Printing/advertising/postage costs	500
	<hr/>
	15,000

WATERFRONT BUDGET ESTIMATES - 4/11/96
 Estimates based on 3/28/96 information

PLANNING AND DESIGN COSTS					
Task	Spent	Proposed '96	Proposed '97	Proposed '98	Total
Site Investigation:					
Recontam. Study	\$432,000				
Cleanup study documents	\$22,000				
Sample collect'n & anal (3/28)		\$120,000			
Total	\$454,000	\$120,000	\$0	\$0	\$574,000
Cleanup Study:					
Consultant selection		\$15,000			
Consultant contract (pre design)		\$250,000	<i>rough estimate</i>		
Design costs		\$125,000	<i>rough estimate</i>		
Total	\$0	\$390,000	\$0	\$0	\$390,000
Permits/Lease:					
Total - includes labor and fees			\$15,000		\$15,000
Project Management (3/96 - 12/97)					
20 hr/wk for 1.75 yr @ \$55/hr		\$43,000	\$57,000		\$100,000
<i>This includes all city staff time.</i>					
Total for above sections					\$1,079,000

CONSTRUCTION & MONITORING COSTS					
Construction: <i>These numbers are average values from earlier estimate worksheets</i>					
Capping				\$1,350,000	
Dredge/disposal				\$700,000	
Inspect'n/Managm't/Const. Monitor	<i>15% of construction</i>			\$300,000	
Contingency	<i>15 % of above items</i>			\$350,000	
Total				\$2,700,000	\$2,700,000
Long-term Monitoring:					
Rough estimate				\$250,000	\$250,000
Total for above sections					\$2,950,000

TOTAL COSTS	
Design, construction and monitoring	\$4,029,000

These estimates reflect design costs of: 37%

WATERFRONT BUDGET ESTIMATES - 4/11/96
Proposed major cuts to reduce P&D costs -- See attached sheet for details

PLANNING AND DESIGN COSTS					
Task	Spent	Proposed '96	Proposed '97	Proposed '98	Total
Site Investigation					
Recontam. Study	\$432,000				
Cleanup study documents	\$22,000				
Sample collect'n & anal. (4/11)		\$60,000	cut all cores. 3 bioassays and 7 surface chem		
Total	\$454,000	\$60,000	\$0	\$0	\$514,000
Cleanup Study					
Consultant selection		\$15,000			
Consultant contract (pre design)		\$125,000	assumes cap is only option -- rough estim.		
Design costs		\$100,000	assumes CCL designs cap -- rough estim.		
Total	\$0	\$240,000	\$0	\$0	\$240,000
Permits/Lease					
Total - includes labor and fees			\$15,000		\$15,000
Project Management (3/96 - 12/97)					
15 hr/wk for 1.75 yr @ \$55/hr		\$29,250	\$39,000		\$68,250
This includes all city staff time.		This shows a reduction of 20 hr/month.			
Total for above sections					\$837,250
			SAVINGS		\$241,750

CONSTRUCTION & MONITORING COSTS					
Construction <small>These numbers are average values from earlier estimate worksheets</small>					
Capping				\$1,350,000	
Dredge/disposal				\$700,000	
Inspection/Managmt/Constr. Monitor	15% of construction			\$300,000	
Contingency	15% of above items			\$350,000	
Total				\$2,700,000	\$2,700,000
Long-term Monitoring					
Rough estimate			estimate	\$250,000	\$250,000
Total for above sections					\$2,950,000

TOTAL COSTS	
Design, construction and monitoring	\$3,787,250

These estimates reflect design costs of: 28%

ATTACHMENT A.**AMENDED BYLAWS
OF
ELLIOTT BAY/DUWAMISH RESTORATION PROGRAM PANEL****ARTICLE I
NAME**

The "Panel of Managers" created under the Consent Decree entered in United States, et al. v. The City of Seattle and Municipality of Metropolitan Seattle, Case No. C90-395WD, shall hereafter be referred to as the "Elliott Bay/Duwamish Restoration Program Panel."

**ARTICLE II
MEMBERS**

Each member group, as defined in paragraph 5 of the Consent Decree, shall upon approval of these Bylaws designate in writing to the Panel chair a voting representative together with such alternates as it deems appropriate to represent it on the Panel. Any member group may substitute its voting representative by written notice to the Panel chair.

**ARTICLE III
MEETINGS**

1. **Regular Meetings.** The Panel shall meet **at least quarterly**, as required, at such times and places agreed to by the Panel. All Panel meetings will be open to the public unless the Panel chooses by majority vote to conduct a Panel meeting in executive session.
2. **Agenda.** An agenda prepared by the chair in consultation with the administrative director shall be given at least three days prior to any regular meeting. Member groups may designate items to be included in the agenda. All Panel meeting agendas will include a time and space allocation for "Public Comment." This regular agenda item is designated for public or non-Panel members to appear before the Panel and share their ideas, comments, and views on Panel activities.
3. **Special Meetings.** Special meetings of the Panel may be held at any place and time whenever called by any four member groups.
4. **Notice of Meetings.** Notice of the time and place of any special meeting of the Panel shall be given by the secretary or by the member groups calling the meeting, by mail, telegram, facsimile, or by personal communication over the telephone or otherwise, at least three (3) days prior to the date on which the meeting is to be held. The business to be transacted and the purpose of any meeting of the Panel shall be specified in the form of an agenda in the notice or any waiver of notice of such meeting. Attendance of a member group at any meeting shall constitute a waiver of notice of such meeting, except where the member group attends a meeting for the purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

5. Quorum. A majority of member groups shall constitute a quorum for the transaction of business. At any meeting of the Panel at which a quorum is present, any business may be transacted, and the Panel may exercise all of its powers. A member group present at such a meeting shall be presumed to have assented to the action taken at the meeting unless the member group's dissent or abstention is entered in the minutes of the meeting or the member group files its written dissent or abstention to such action with either the person acting as secretary of the meeting before adjournment of the meeting or by registered mail to the secretary immediately after the adjournment of the meeting. Notwithstanding the provisions of Article VII(1), any action excepting an action on reconsideration taken by the Panel shall be tabled for reconsideration at the next meeting of the Panel upon the request of any member group where: (a) the action was not set forth in an agenda or notice for the meeting at which it was taken; or (b) the action was taken by vote of the Panel based on a three-two or three-one majority.
6. Meetings Held by Telephone or Similar Communications Equipment. Member groups may participate in a meeting of the Panel or its committees by means of a telephone conference or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time and participating by such means shall constitute presence in person at a meeting.
7. Meeting Conduct. Member groups only shall participate in Panel meeting agenda discussions and decision making processes. If non-Panel members wish to appear before the Panel and contribute to Panel agenda discussions, such non-Panel members must either contact the Chair in advance of the Panel meeting and request special placement on the agenda in accordance with paragraph (2) above or attend the Panel meeting and be heard during the regularly scheduled "Public Comment" period reserved on each regular Panel meeting agenda.
8. Form of Actions. The following actions of the Panel shall be taken and memorialized in the form of resolutions: designation and appointment of committees; appointment and removal of an administrative director; designation and elimination of additional working groups; specification and modification of additional powers and duties of the Chair and Secretary; alteration or amendment of the Bylaws; adoption of budgets; adoption of project proposals; approvals of expenditures from the Registry Account; acceptance of proposals for the performance of in-kind services; appointment of a party to undertake projects on behalf of the Panel; establishing guideline for reimbursement of Trustees' expenses; and such other actions as the Panel shall determine.

ARTICLE IV COMMITTEES AND WORKING GROUPS

1. Committees. The Panel may designate and appoint any committees. Each committee shall consist of two (2) or more member groups and shall have and exercise such authority of the Panel as may be specified in the resolution establishing the committee. However, no such committee shall have the authority of the Panel to amend, alter or repeal the Bylaws; elect, appoint or remove any member of any such committee or any administrative director appointed by the Panel; or amend, alter or repeal any resolution of the Panel.

2. Working Groups. The Panel may designate and appoint any working groups to assist the Panel in carrying out its duties under the Consent Decree. The membership on any working group is open to any representatives designated by member groups, those representatives those agencies or entities identified in paragraph 15 of the Consent Decree, and to such other qualified individuals as determined by the Panel. Each working group shall elect or designate a chair who is also a representative of a member group. A working group shall exercise no power or authority of the Panel. Working groups will serve to analyze and recommend restoration, remediation and source control projects and the means to implement those projects. Any proposal developed by a working group shall be presented to the Panel by the working group chair or a person designated by the working group chair.

ARTICLE V.
ACTIONS BY WRITTEN CONSENT

Any action required or permitted by the Consent Decree or Bylaws to be taken at a meeting of the Panel may be taken without a meeting if consent in writing, setting forth the action so taken, shall be signed by all member groups entitled to vote with respect to the subject matter thereof. Such consent shall have the same force and effect as a unanimous vote, and may be described as a such.

ARTICLE VI.
WAIVER OF NOTICE

Whenever any notice is required to be given to any Panel member or member group by the Consent Decree or Bylaws, a waiver thereof in writing signed by the Panel member or member group to such notice, whether before or after the time stated therein, shall be the equivalent to the giving of such notice.

ARTICLE VII.
OFFICERS

1. Officers Enumerated. The officers of the Panel shall be a chairperson and a secretary. In addition to the powers and duties specified below, the officers shall have such powers and perform such duties as the Panel may prescribe.
2. The Chair. The chair must be a designated representative of a member group on the Panel. He/she shall preside at meetings of the Panel and any committees exercising any authority of the Panel. It is the duty and responsibility of each acting Chair to enforce any and all Panel rules of procedure and to control and direct all Panel discussions and comments. The position of chair shall rotate among the member groups on a quarterly basis commencing January 1, 1992. The voting representative for the Department of Ecology shall serve as the first chair to be succeeded in order by the voting representative of the Suquamish Indian Tribe, the Muckleshoot Indian Tribe, Seattle, Metro, and then that voting representative designated jointly by NOAA and Interior.
3. The Secretary. Unless the Panel acts otherwise, the administrative director appointed by the Panel shall automatically serve as secretary. It shall be the duty of

the secretary to keep records of the proceedings of the Panel including a true and accurate copy of the Bylaws, any resolutions or amendments to the Bylaws adopted by the Panel, and minutes of any and all meetings of the Panel.

4. Vacancies. Vacancies in any office arising from any cause may be filled by the Panel at any regular or special meeting. In the event a chair or designated alternative is not present at a meeting, the voting representative of the member group next in rotation to serve as chair shall serve as chair at that meeting.
5. Removal. Any officer elected or appointed may be removed by the Panel whenever in its judgment the best interest of the Panel will be served thereby.

ARTICLE VIII. ADMINISTRATIVE PROVISIONS

1. Dispute Resolution. Any member group objecting to an action by the Panel may request reconsideration of such action in writing. Provided such a request is submitted to the chair within thirty (30) days of the Panel's action, the time to seek judicial review of the Panel's action in accordance with paragraph 7 of the Consent Decree shall run from the date the request for reconsideration is denied. A request for reconsideration shall be heard at the next regular meeting of the Panel. A request for reconsideration shall be deemed denied if not resolved within thirty (30) days of submission to the chair. Submission of a request for reconsideration shall not be deemed a waiver of any right to file a petition for review pursuant to paragraph 7 of the Consent Decree.
2. Amendment of Bylaws. These Bylaws may be altered, amended or repealed by the affirmative vote of a majority of the member groups in accordance with the Consent Decree at any regular or special meeting.
3. Rules of Procedure. The rules of procedure at meetings of the Panel shall be the rules contained in Roberts Rules of Order on Parliamentary Procedure, newly revised, so far as applicable and when not inconsistent with these Bylaws, the Consent Decree or with any resolution of the Panel.

Summary of Obligations and Documented Expenditures 1992-1996

Summary Sheet	\$ Obligated	Documentation Provided		P&D	PP	FD	SR	SC	K Documented
		IK Obligated	Disbursed						
1992	469,131.32	340,760.00	113,015.55	36,796.97	251,091.82	0.00	86,432.71	0.00	261,293.95
1993	717,931.30	62,515.00	363,802.67	236,836.05	185,402.02	0.00	51,373.00	0.00	109,808.00
1994	87,289.50	445,719.20	403,374.43	151,593.30	584,686.13	0.00	29,167.00	0.00	362,072.00
Subtotal	1,858,352.12	848,994.20	880,192.65	425,226.32	1,021,179.97	0.00	166,972.71	0.00	733,176.95
1995	1,372,926.09	950,518.00	300,587.09	76,413.87	222,173.22	0.00	0.00	0.00	0.00
1996	2,065,962.36	1,603,943.08	189,100.06	76,392.06	90,708.00	0.00	0.00	0.00	0.00
Total	5,297,240.57	3,403,455.28	1,349,879.80	692,032.25	1,334,081.19	0.00	166,972.71	0.00	733,176.95
\$ 250,000.00 Cash Deposits by the City and KC into the Court Registry Account through 1996 733,176.95 In-kind Services documented (includes KC and City) through 1996 \$5983,176.95 Total									
* Not all documented in-kind services have been formally credited by the Panel. \$ 35,784.95 Outstanding in-kind Services that have been documented but have not been approved for credit.									

Reconciliation Summary

Draft 11/4/2/97

Jay/IOAA

Elliott Bay/Duwamish Restoration Program												
Accounting 1993												
Resolution Number	Dollars	Obligated To	Obligated For	In-kind Services	Disbursement Amount	Address	Disbursed from the Registry				n-kind Credit	
							Panel Function	Planning & Design	Real Property Development	Habitat Development		Sediment Remediation
92-3/17/8		IK KC	Pub.Parl.		92/3/17/8		17,108.00					17,108.00
92-5/20		IK KC	5/3/95 Monitor/S		92-5/20					47,308.00		47,308.00
92-23		IK KC	Conc.Doc		92-23		3,027.00					3,027.00
1993-01		P	By-Law Amen									
1993-02		P	Kenoc									
1993-03	34,624.50	B	Suquamish Budget see 93-12									
1993-04	44,941.50	B	Muckleshoot Budget see 93-16									
1993-05	16,352.30	D	U.S. F&WS Trustee Exp.			USFWS	16,352.30					
	29,930.00	D	Muckleshoot Trustee Exp.			Muckleshoot	29,930.00					
	7,183.82	D	Suquamish Trustee Exp.			Suquamish	7,183.82					
1993-06	10,000.00	C	Ecology WFT Scoping									
1993-07	1,647,000.00	B	EB/DRP Budget 1994									
1993-08		P	PPC est.									
1993-09	4,065.00	IK	KC/City Pler/Sm.rpt.	4,065.00		KC/City				4,065.00		4,065.00
1993-10	7,187.87	D	Ecology Trustee Exp.			Ecology	7,187.87					
1993-11	57,829.24	D	NOAA Trustee/AD			NOAA	36,604.48					
		D	NOAA			NOAA	19,224.76					
1993-11B		P	Proj/MFR sed									
1993-12		D	Suquamish FTE ref 93-03			Suquamish	34,563.08					
1993-13		P	Ecology WFT Rec. Study			Ecology	31,726.43					
1993-14	400,000.00	P	Ecology Eco/Proj Mgr.									
		K	WF/S Sampling	5,000.00		KC				5,000.00		5,000.00
1993-15	10,762.55	D	NOAA AD			NOAA	10,762.55					
1993-18		D	Muckleshoot FTE ref 93-04			Muckleshoot	44,941.50					
1993-17	7,500.00	D	WDFR COOP 92-11/28			WDFR	7,352.35					
1993-18		C	Ecology WF ref 93-14			Ecology	25,000.00					
1993-19		P	N/A GFAs/Seaboard/1st									
1993-20		P	N/A Cleanup Plan CSOs									
1993-21	53,450.00	IK	KC/City GSO w/ign dev	53,450.00		KC/City				5,302.00		5,302.00
1993-22	29,114.52	D	NOAA AD			NOAA	28,114.92					
1993-23	5,000.00	C	Muckleshoot Kenoc Env Auid.									
Total	717,931.30			62,515.00	363,802.67		236,836.05	65,402.92	0.00	51,373.00	0.00	109,808.00
C - Contract Costs												
IK - In-kind Services												
s - sequestered												
us - unsequestered												
B - Budgets Not Included in Sum												

Elliott Bay / Duwamish Respiration Program																
Accounting 1994																
Resolution Number	Dollars	Obligated To:			Obligated For:			Disbursed from the Registry Account								
		Agency	Category	Subcategory	Agency	Category	Subcategory	Disbursement Amount	Addressee	Panel Function	Planning & Design	Real Property	Habitat Development	Sediment Remediation	Source Control	In-kind Services
1982-17					P. Participation				KC	1,078.00						1,078.00
1982-05					P. Participation				KC	3,352.00						3,352.00
1982-23					Concept Doc.				KC	2,289.00						2,289.00
1983-21									KC		41,297.00					41,297.00
1984-01	\$34,682.00	K Metro		Pier 53m. Ipi.					KC							
1984-02	0	P Ecology		WFT Rec.Stdy.					Ecology		177,804.13			29,167.00		29,167.00
1984-03	70,000.00	K City		Seaboard					City							
1984-04	34,841.50	D Suquamish		FTE					Suquamish		34,841.50					
1984-05	44,854.50	D Muckleshoot		FTE					Muckleshoot		44,854.50					
1984-06	19,477.00	D USFWS		Trustee Exp.					USFWS		19,477.00					
1984-07	13,999.00	D Suquamish		Trustee Exp.					Suquamish		13,999.00					
1984-08	8,943.80	D NOAA		AD					NOAA		8,943.80					
1984-09	35,527.20	K Metro		sampling					KC		35,527.20					35,527.20
1984-10	12,179.10	D Muckleshoot		Trustee Exp.					Muckleshoot		12,179.10					
1984-11	12,688.88	D Ecology		Trustee Exp.					Ecology		12,688.88					
1984-12	43,450.13	D NOAA		Trustee Exp.					NOAA		43,450.13					
1984-13	1,974,000.00	P EBRP		Budget 85												
1984-14	15,934.67	D NOAA		AD					NOAA		15,934.67					
1984-15	503.00	K Metro		CDockSecSam					KC		500.00					500.00
1984-16	5,000.00	K City		Appr. SCI							500.00					
1984-17	180,000.00	K Metro		DD&NSecRem					KC		176,622.00					176,622.00
1984-18	12,022.59	D NOAA		AD					NOAA		12,022.59					
1984-19	86,500.00	K Metro		D/D & N (wh/14/8)					KC		72,240.00					72,240.00
1984-20	13,500.00	K City/Metro		Src. Contr. Act.												
1984-21	6,179.13	D NOAA		AD					NOAA		6,179.13					
1984-22	1,000.00	C A Ferlicco		Dives					Ferlicco (CC)		1,000.00					
SUBTOTAL	\$671,289.50			(Ind. In-kind services)						151,593.30	584,666.13	0.00	0.00	29,167.00	0.00	362,072.00
		C-Contract Costs														
		IK-In-kind Services														
		D-Disbursements from the Court Registry Account														
		S - sequestered														
		US - unsequestered														
		B - Budgets (not included in Sum)														

Elliott Bay / Duwamish Restoration Program													
Accounting 1995													
Obligated by Resolution						Disbursed from the Registry Account							
Resolution Number	Dollars	Obligated To:	Obligated For:	In-kind Services	Disbursement Amount	Addressee	Panel Function	Planning & Design	Real Property	Habitat Development	Sediment Remediation	Source Control	In-kind Services
1995-01	0	41,905.00	Suquamish	FTE	41,905.00	Suquamish		41,905.00					
1995-02	D	7,554.40	NOAA	AD	7,554.40	NOAA							
1995-03	K	20,220.00	Metro	DD Sampling									
1995-04	D	32,000.00	Ecology	XWFI Rec. Study									
1995-05	D	9,748.83	Muckleshoot	Trustee Exp.	9,748.83	Muckleshoot		9,748.83					
	D	15,660.62	Ecology	Trustee Exp.	15,660.62	Ecology		15,660.62					
1995-06	D	33,301.53	NOAA	Trustee Exp.	33,301.53	NOAA		33,301.53					
	D	46,877.00	Muckleshoot	FTE	46,877.00	Muckleshoot		46,877.00					
1995-07	P	2,067,000.00	EB/DRP	Budget 98									
1995-08	P	0	N/A	SCL # in GFA									
1995-09	D	9,518.00	USEWS	Trustee Exp.	9,518.00	USEWS		9,518.00					
	D	2,830.49	Suquamish	Trustee Exp.	2,830.49	Suquamish		2,830.49					
1995-10	K	2,100.00	Metro	SCL SOW									
1995-11	K	48,654.00	Metro	DDN Alter/Anal	48,654.00								
1995-12	K	12,000.00	City	Seaboard C/Se	12,000.00								
1995-13	K	4,500.00	Metro	CHH StormD	4,500.00								
1995-14	P	0	N/A	SC Gask									
1995-15	K	80,000.00	Metro	D/D \$AP etc	80,000.00								
1995-16	K	67,371.00	Metro	ph2 #for/alk	67,371.00								
1995-17	K	25,000.00	City	SL Ajustation	25,000.00								
1995-18	K	3,000.00	Metro	SCL Term1 +	3,000.00								
1995-19	K	45,000.00	City	Amard 95-17	45,000.00								
1995-20	K	445,200.00	Metro	DONSSed/Ram	445,200.00								
1995-21	K	94,480.00	City	SourceCm1	94,480.00								
1995-22	P	0.00	City	WFT Prof.Mgr									
1995-23	K	4,344.00	Metro	PrePICO/SAP	4,344.00								
1995-24	K	45,000.00	City	Seaboard	45,000.00								
1995-25	K	10,875.00	Metro	PCB Charize	10,875.00								
1995-26	C	89,820.00	WDPW	Suben Study									
1995-27	P	0.00	SCL	Quit									
1995-28	K	27,060.00	Metro	D/D sampling	27,060.00								
1995-29	D	133,391.22	Ecology	WFT Rec.Stdy	133,391.22	Ecology(04)		133,391.22					
1995-30	K	15,715.00	City	WFT Plan	15,715.00								
SUBTOTAL		1,372,926.09			950,518.00		78,413.87	222,173.22	0.00	0.00	0.00	0.00	0.00
C-Contract Costs													
IK-in-Kind Services													
D-Disbursements from the Court Registry Account													
is-sequestered													
us-unsequestered													
B-Budgets - (not included in sum)													

ELLIOTT BAY / DUWAMISH RESTORATION PROGRAM													
Accounting 1996													
Obligated Funds													
Resolution Number	Dollars	Obligated To:	Obligated For:	In-kind Services	Disbursement Amount	Addressee	Panel Function	Planning & Design	Real Property	Habitat Development	Sediment Remediation	Source Control	In-kind Services
1996-01	\$32,578.80	KOMFC	DIDAN P12/3	\$32,578.80									
1996-04	0.00	KOMFC	Contingense										
1996-05	13,631.93	Suquamish	Trustee Exp.		13,631.93	Suquamish	3,631.93						
	43,872.00	Suquamish	FTE		43,872.00	Suquamish		43,872.00					
	3,405.92	Nuckleshoot	Trustee Exp.		3,405.92	Muckleshoot	3,405.92						
	7,827.00	USFWS	Trustee Exp.		7,827.00	USFWS	7,827.00						
1996-07	92,000.00	City	WFT Budget	92,000.00									
1996-08	45,836.00	Nuckleshoot	Op Budget		45,836.00	Muckleshoot							
1996-09	21,986.50	NOAA	Trustee Exp.		21,986.50	NOAA	21,986.50						
1996-12	15,000.00	City	WFT Clean Up	15,000.00									
1996-14	19,722.62	Ecology	Trustee Exp.		19,722.62	Ecology	19,722.62						
1996-15	11,818.09	NOAA	Admin. Exp.		11,818.09	NOAA	11,818.09						
1996-16	225,000.00	Nuckleshoot	Kenco Acquire										
1996-17	116,512.00	KOMFC/City	D/D & N S& S	116,512.00									
1996-18	83,880.00	KOMFC	Pier 33/55 M	83,880.00									
1996-19	38,590.05	NOAA	EB Shm Enh										
1996-20	24,581.00	KOMFC	EA/SEPA Nxt	24,581.00									
1996-21	44,822.00	City	SL III tp	44,822.00									
	23,820.28	City	Seaboard pd	23,820.28									
1996-22	9,229.17	NOAA	Admin. Exp										
1996-26	322,000.00	City	CMF/COE	322,000.00									
1996-28	700,000.00	KOMFC	SCL/tp	700,000.00									
1996-29	25,000.00	KOMFC	SCL/tp	25,000.00									
1996-30	107,749.00	KONF	NWW/pd	107,749.00									
1996-31	16,000.00	KONF	NWW/pd	16,000.00									
Subtotal	2,065,962.36			\$1,603,943.08	169,100.08		76,392.06	90,708.90					
C-Contract Costs													
IK-In-Kind Services													
D-Disbursements from the Court Registry Account													
S-sequestered													
us-unsequestered													
B-Budgets (not included in sum)													

c. Panel Function Support	
Funds available from Sediment apportionment	\$1,412K
Funds available from Habitat apportionment	\$588K
Funds budgeted through 2000+	\$1,209K
Anticipated funds available (unallocated) (available for P&D, if amended)	+\$791K

**Elliott Bay/Duwamish Restoration Panel
Panel Resolution 1997-09**

Adopted: April 1997

Consent Decree: ¶ 9a, Panel authority

Resolutions: 1992-02, 04, 09
1993-01

WHEREAS, the Elliott Bay/Duwamish Restoration Program (EB/DRP) is now progressing from a primary planning and design phase into the implementation of projects, and

WHEREAS, the EB/DRP Panel needs to streamline its management efforts and concentrate its deliberations on policy and significant fiscal matters as the various projects are designed and implemented, and

WHEREAS, the Panel's desire is to authorize the designated project managers to undertake the fulfillment of project goals, objectives, and obligations as outlined in their detailed Scope, Schedule, and Budgets, and

WHEREAS, the Panel would like to complete its oversight work by January 15, 2000, culminating in the preparation of the final report of Panel activities, and

WHEREAS, the Panel proposes to maintain oversight responsibilities under declining budgets by reducing Panel meeting activities.

BE IT RESOLVED, that the Panel approves the following management objectives:

Reduce the number of monthly Panel meetings in two steps:

a. For the remainder of the calendar year of 1997:

May 1

June 5

August 7

October 2

November 6

b. Starting in January of 1998, meetings would be quarterly (January, April, July, October).

- c. Since the sediment remediation projects are either at implementation or on hold, the Sediment Remediation Technical Working Group (TWG) meetings would be called only when needed, by the Chair upon notification of the Administrative Director.
- d. The Habitat Development (HD) TWG still has significant property acquisition and project-specific planning to do and would continue to meet, as needed, but on a reduced frequency.
- e. A single monthly scheduled meeting date for both TWGs would be changed to the third Thursday of the month for those months when it is necessary to actually have a meeting(s). The TWG Chairs will inform the Administrative Director by noon of the second Thursday if there will be a TWG meeting the following Thursday so notices can be sent to TWG members.
- f. Meetings of Standing Committees of the Panel will continue to be called on an "as needed" basis.
- g. Panel members will develop means for conducting more Panel/TWG discussions by E-mail, FAX, or conference calls.

FURTHER, the Panel amends the following By-Laws:

By-Laws, Article III, Meetings 1: Change from

"The Panel shall meet at least once every month at such times and places agreed to by the Panel."

to

"The Panel shall meet at least quarterly, as required, on the first Thursday of the month and the technical working groups will meet as needed, the third Thursday of the month being set aside for this purpose."

By unanimous consent,