Appendix E: Concurrence Letters

STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

February 3, 2006

Ms. Connie Walker Gray
Cultural Resource Specialist
Washington State Department of Transportation
Northwest Washington Division
Urban Corridors Office
401 Second Avenue South, Suite 560
Seattle, Washington 98104-3850

In future correspondence please refer to:
Log: 060804-08-FHWA
Property: I-405 North Renton aka Renton-to-Bellevue Line
Re: Archaeology - APE Concur

Dear Ms. Walker Gray:

We have reviewed the materials forwarded to our office for the above referenced project. Thank you for your revised description of the area of potential effect for the project. We concur with the revised definition of the APE. As always, we would appreciate receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4) and the survey report when it is available.

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer in conformance with Section 106 of the National Historic Preservation Act and its implementing regulations 36CFR800. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to review and comment. Should you have any questions, please feel free to contact me.

Sincerely,

Matthew Sterner, M.A., RPA
Transportation Archaeologist
(360) 586-3082
matthew.sterner@dahp.wa.gov

STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

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February 3, 2006

Ms. Connie Walker Gray
Cultural Resource Specialist
Washington State Department of Transportation
Northwest Washington Division
Urban Corridors Office
401 Second Avenue South, Suite 560
Seattle, Washington 98104-3850

In future correspondence please refer to:
Log: 060804-08-FHWA
Property: I-405 North Renton aka Renton-to-Bellevue Line
Re: Archaeology - No Historic Properties

Dear Ms. Walker Gray:

Thank you for contacting our office and providing a copy of the discipline report. We concur with their professional recommendations and your finding of No Historic Properties Effected.

We would appreciate receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4).

These comments are based on the information available at the time of this review and on the behalf of the State Historic Preservation Officer in conformance with Section 106 of the National Historic Preservation Act and its implementing regulations 36CFR800.

Should additional information become available, our assessment may be revised. In the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity must stop, the area secured, and this office and the concerned tribes notified.

Sincerely,

Matthew Sterner, M.A., RPA
Transportation Archaeologist
(360) 586-3082
matthew.sterner@dahp.wa.gov

City of Bellevue

Post Office Box 90012 • Bellevue, Washington • 98009 9012

January 25, 2006

RECEIVED
JAN 27 2006
URBAN CORRIDORS OFFICE

Ms. Stacy Trussler
WSDOT I-405 Project Team Office
600 - 108th Ave NE, Suite 405
Bellevue, WA 98004

Dear Stacy:

This letter intends to articulate the City of Bellevue's understanding of issues in the Coal Creek Parkway area of the I-405 North Renton (SR 169 to I-90) expansion project. It summarizes discussions over the past two months between the WSDOT I-405 Project Team and City of Bellevue staff relating to the environmental review underway for the project.

Our understanding is that the North Renton I-405 Environmental Assessment (EA) is nearly complete, which will provide the necessary environmental clearance to add up to two lanes in each direction to this segment of the corridor. Completion of the EA is on a critical path because the scope of the I-405 Bellevue Nickel Project has been expanded. Originally, the Bellevue Nickel Project sought to add one northbound general purpose lane from I-90 to SE 8th Street. Southbound, the project will add one general purpose and one HOV lane between SE 8th Street and I-90. Expansion of this original scope involves adding a northbound general purpose lane between 112th Avenue SE (Newport Hills area) to I-90. Because this expanded scope exceeds the limits of Bellevue Nickel Project EA, the North Renton EA must be completed to provide the necessary environmental clearances for the 112th Avenue SE to I-90 segment of the project.

WSDOT traffic analysis to date, conducted as part of the North Renton EA, indicates that Coal Creek Parkway may need to be widened between roughly the Burlington Northern Santa Fe Railroad and 124th Avenue SE by one eastbound lane to mitigate increased traffic volumes from I-405. We understand that this widening is not currently funded and would only occur if triggered by future WSDOT investment in the I-405 corridor. However, because the North Renton EA seeks to environmentally "clear" the I-405 Master Plan vision for the I-90 to SR 169 segment, it is included in the review. We support WSDOT's efforts to expand the scope of the Bellevue Nickel Project, but will want to revisit Coal Creek Parkway needs if further I-405 investments are programmed in its vicinity. At that time, we would expect to work with you to refine traffic needs and associated channelization assumptions, water run-off management, and other project attributes.

A current key issue for the North Renton EA is the environmental effect of potentially expanding Coal Creek Parkway. As we have discussed, the added eastbound lane would likely require expansion of the roadway footprint to the south, as expansion to the north would require much more extensive effort. The potential expansion to the south would likely infringe on Coal Creek Natural Area/Park land. Options generated to date by your office suggest several possibilities, some of which would likely trigger 4f impacts. The "Timber Trail" option, depending on its ultimate design, appears to have promise in avoiding 4f impacts.

Transportation Department • Administration • (425) 452-6020 • Fax (425) 452-2052
Leavitt Building • 301 – 116th Avenue SE • Suite 150 • Bellevue, WA 98005

We believe that if designed to provide Park amenities, 4f impacts may be avoided under the "Timber Trail" alternative. If this alternative is ultimately selected, improvements to the Natural Area/Park will be needed, such as a connection to and from the elevated Timber Trail and/or a separate "meandering" path through the parkland, so that the Natural Area/Park is enhanced. However, if the timber structure only replaces the existing sidewalk/trail, 4f issues would be triggered. We will need to revisit this issue if plans proceed to further define the necessary park amenities, or WSDOT will need to address the likely resulting 4f issues. Our understanding is that WSDOT would also provide an interpretive kiosk near the intersection of Coal Creek Parkway and 119th Avenue SE to serve as a marker for the Park entrance.

Bellevue is supportive of the proposed improvements to the I-405 corridor and we appreciate the cooperation of your staff in addressing our concerns. We look forward to continued discussion and partnership as funded projects move into construction.

Sincerely,

Bernard van de Kamp
Regional Projects Manager
Bellevue Transportation Department

cc: Goran Sparrman, Bellevue Transportation Director
Patrick Foran, Bellevue Parks Director
Denny Vidmar, Acting Bellevue Utilities Director
Carol Helland, Land Use Director, Planning and Community Development

City of Bellevue

Post Office Box 90012 • Bellevue, Washington • 98009 9012

February 7, 2006

Ms. Allison Ray, I-405 Environmental Manager
Washington State Department of Transportation, I-405 Project Team
600 108th Avenue NE, Suite 405
Bellevue, WA 98004

Re: Newcastle Beach Park/I-405 Environmental Mitigation Project

Dear Ms. Ray:

We are writing to express our continued support for the rapid implementation of the I-405 corridor's highway expansion project through the State's 2003 Nickel Improvement Program. To this end, we look forward to working with you concerning the environmental mitigation issues as identified in our October 18, 2005 letter to you. In coming weeks and months we will work with you concerning future liability, maintenance and operations and code revisions that will require close collaboration. We support the ongoing efforts to develop mutually beneficial mitigation projects necessary to I-405's success. Moreover, the City is committed to working with WSDOT and your team to further develop mitigation strategies on Bellevue public lands that will ultimately require our Council's authorization in coming weeks and months. Close coordination is key as we strive to expedite traffic improvements while at the same protecting aquatic habitats and public lands.

With regard to near-term mitigation requirements, the City of Bellevue acknowledges that WSDOT proposes to use a portion of Newcastle Beach Park for stormwater drainage for the I-405 Renton to Bellevue Project. The City will work with WSDOT to develop plans for the stormwater drainage plans through a more detailed agreement forthcoming this spring that will ultimately require our Council's approval.

Sincerely,

Goran Sparrman, Transportation Director
City of Bellevue

Patrick Foran, Parks Director
City of Bellevue

cc: Steve Sarkozy, City Manager
Lori Riordan, City Attorney
Diane Carlson, Intergovernmental Relations Director
Sheida Sahandy, Environmental Counsel
David Berg, Capital Programs Director
Kit Paulsen, Environmental Scientist
Kim Becklund, Transportation Policy Advisor

RECEIVED
JUL 27 2005
URBAN CORRIDORS OFFICE

Kathy Keolker-Wheeler, Mayor

CITY OF RENTON

Planning/Building/Public Works Department
Gregg Zimmerman P.E., Administrator

July 25, 2005

Stacy Trussler, PE
Project Manager, I-405 Projects
Engineering Manager, Urban Corridors Office
600 – 108th Avenue NE, Suite 405
Bellevue, WA 98004

SUBJECT: JOHNS CREEK OUTFALL CONCURRENCE LETTER

Dear Ms. Trussler:

Enclosed for your records is a signed original of the Concurrence Letter for the Johns Creek Outfall. The Mayor signed the Concurrence Letter as approved by the City Council at the July 18, 2005, Council meeting.

We look forward to working with you and others at WSDOT as we move forward with the implementation of the Johns Creek Outfall project as part of the future I-405 Renton to Bellevue project.

Sincerely,

Ronald J. Straka

Ronald J. Straka, PE
Surface Water Utility Engineering Supervisor

Enclosure

cc: Gregg Zimmerman, PE, PBPW Administrator
Lys Hornsby, PE, Utility Systems Director
Leslie Betlach, Parks Director
Sandra Meyer, Transportation Director

INTERSTATE 405 Corridor Program
Congestion Relief & Bus Rapid Transit Projects

CAG-05-115

RECEIVED
JUL 25 2005
CITY OF RENTON
UTILITY SYSTEMS

600 – 108th Avenue NE, Suite 405
Bellevue, WA 98004
Main 425-456-8500
Fax 425-456-8600

May 10, 2005

Gregg Zimmerman, Public Works Director
City of Renton
1055 South Grady Way
Renton, WA 98055

Re: Concurrence Letter - Johns Creek Outfall

Dear Mr. Zimmerman:

This letter documents that the City of Renton and the Washington State Department of Transportation (WSDOT) concur with the 15% design for the Johns Creek Outfall.

Johns Creek Background

The City of Renton and WSDOT have jointly investigated a non-traditional proposal to provide water quality treatment and stormwater controls for runoff from the I-405 Corridor Project from MP 4.59 to MP 6.09. Water quality treatment will be provided for all runoff from the I-405 right-of-way, which will include 7.3 acres of new impervious area from the I-405 improvements in the Johns Creek watershed. The Johns Creek watershed is 1082 acres. Upstream of I-405, the watershed includes 868 acres of primarily residential land use. I-405, including the new impervious area, occupies 72.6 acres. The watershed downstream of I-405 is primarily commercial land use and includes 215 acres of land (including the I-405 area). The increased impervious area from expansion of I-405 would increase impervious area within the basin by less than 1%. All water within the basin currently drains to Johns Creek, and this water is currently discharged near the entrance to Gene Coulon Memorial Beach Park.

Under existing conditions, runoff from this part of I-405 is combined with runoff from the upper Johns Creek watershed (City of Renton, residential area), and then discharged to the City of Renton drainage system located in the lower basin. The City storm system routes the runoff westerly along N 8th to where it joins the North 8th Street/Garden Avenue North storm system. The Garden Avenue North storm system then conveys the water north to where it discharges to a series of intermittent stream and culvert conveyances on Johns Creek beginning approximately 200 yards upstream of the entrance road to Gene Coulon Memorial Beach Park.

A traditional stormwater response for this watershed would construct a series of stormwater vaults within the existing WSDOT Right of Way (ROW) to provide both water quality treatment and flow control, as required by the WSDOT Highway Runoff Manual. The City of Renton and WSDOT held a series of discussions in 2004 and early 2005 to develop a more efficient and cost-effective solution to managing stormwater within the Johns Creek basin.

15% Design Development

The City of Renton and the I-405 team held a series of discussions to develop the proposed Johns Creek Outfall as the stormwater component of the North 8th Street HOV Direct Access Project. This design concept was investigated sufficient to allow preparation of a 15% design package.

The design addresses a series of potential concerns and opportunities that were identified through the discussions. Protection of Gene Coulon Memorial Beach Park facilities and plant materials was identified as a major concern, which triggered additional study, consideration of several discharge locations, and careful routing of the discharge pipe to minimize disturbance to Park facilities. Minimizing disruption to Park operations and the Parks users was also a major concern and resulted in limitations on construction timing and activities. Sizing the new stormwater facilities to handle anticipated future flows from both I-405 and from residential areas in the upper watershed was also addressed during preliminary design. Finally, minimizing impacts to the backwater channel of Johns Creek was also a major concern which triggered studies of the projected changes to water surface elevation and stream flow velocities.

Preliminary design discussions identified the opportunity to forgo stormwater detention (flow control) for this project. The purpose of stormwater detention is to provide protection to downstream areas from erosion and flooding problems associated with increased flows as a result of a project. Studies as part of preliminary design established that detention would not provide any meaningful additional protection to downstream areas, and detention would not serve a useful purpose for this project. The bulk of the downstream conveyance for this project will be drainage pipes specifically sized and constructed to convey both current and anticipate future flows. This piped system has been sized specifically for the projected future flows and will not be affected by either erosion or flooding issues. A short section of Johns Creek within Gene Coulon Memorial Beach Park that would receive the additional discharge was investigated during preliminary design. Studies established that this is a backwater channel of Lake Washington, and the channel is sufficiently large that neither water elevation nor flow rate will be noticeably changed by the project's peak discharges.

To address concerns identified during the preliminary design process, a series of conditions were developed which state the specific concerns and how they will be addressed during final design and construction. A full listing of the conditions, which will guide final design and construction, is attached (Johns Creek Outfall Attachment 1)

Final Design Development

The City of Renton and WSDOT anticipate continuation of the cooperative design process during the development of Final Design for this project. Development of the final design will be guided by the conditions established during the preliminary design process and described in the attached Johns Creek Outfall Attachment 1. Funding for the final design and construction of the North Renton Congestion Relief and Bus Rapid Transit Project is dependent on future funding actions, such as legislative action by the State of Washington or a Regional Transportation Investment District (RTID) public vote.

Concurrence

I am anticipating a project that will set a high standard of cooperation between the City of Renton and WSDOT. I ask, by signing below, that the City and WSDOT concur with the 15% design for the Johns Creek Outfall. This 15% design will be examined by the project's NEPA and ESA documents, which are currently in preparation. The City and WSDOT commit to work together, guided by the conditions in the attached Johns Creek Outfall Attachment 1, to develop the final design, obtain necessary approvals, and prepare associated permits once funding becomes available.

Craig J. Stone

Craig J. Stone, PE
Urban Projects Director

City of Renton Concurrence:

Kathy Keolker-Wheeler
Date

Kathy Keolker-Wheeler
Mayor, City of Renton

Attest:

Bonnie I. Walton
Bonnie I. Walton, City Clerk
7-21-2005

cc: Administrators Executive Committee members
City Design Team members
I-405 Project Team file

Johns Creek Outfall
Attachment 1

This document outlines an understanding between the City of Renton and the Washington State Department of Transportation (WSDOT) to establish a stormwater discharge to Johns Creek at Gene Coulon Memorial Beach Park in the City of Renton. Included in this outline is a listing of the responsibilities of each party as part of the anticipated agreement, and the 15% design for the Johns Creek Outfall and related conveyance systems (Appendix E: Johns Creek Backwater Analysis and Appendix F: Outfall Pipeline Hydraulic Analysis, Supplements to *Preliminary Hydraulic Report, North 8th HOV Direct Access*).

Both parties are aware that the Johns Creek Outfall is a part of the larger Renton to Bellevue Project and that funding for the Renton to Bellevue Project has not been allocated at the time this document was prepared. Both parties presume that funding will occur in the foreseeable future and they wish to complete this letter of concurrence now to provide the certainty that the Johns Creek Outfall and the associated flow exemption will be included as designed in the Renton to Bellevue Project once funding is secured and construction commences.

Both parties agree:

- the Park needs to be protected during construction
  - That Gene Coulon Memorial Beach Park is an important recreational resource to the City of Renton, and that substantial efforts should be made during construction of the Johns Creek Outfall to minimize disruption of Park uses; and
- the Johns Creek Backwater Study is accurate
  - That the Johns Creek Backwater Study based upon the 15% design work accurately describes the existing condition of the local drainage system in the vicinity of Gene Coulon Memorial Beach Park at the time of this agreement, and accurately anticipates the effects of Johns Creek Outfall on the local drainage systems in the Johns Creek watershed. An updated hydrologic and hydraulic analysis of the proposed Johns Creek Outfall storm system improvements and the Johns Creek channel down to Lake Washington will be conducted as part of the project final design; and
- flows under discussion currently go to Johns Creek
  - That stormwater runoff flows from the affected section of I-405 and tributary areas of the City are currently routed to Johns Creek via local drainage systems, and these flows are contributing to infrastructure limitations in the local conveyance systems; and
- the change in impervious area in the Johns Creek Watershed from I-405 improvements is small
  - That construction of the Renton to Bellevue Project would increase impervious area within the Johns Creek watershed by approximately 7.3 acres. This amounts to less than 1% increase in impervious area across the Johns Creek watershed, which would result in a very small increase to existing flows; and

- providing water quality treatment to I-405 runoff will improve Johns Creek
  - ♦ That providing enhanced water quality treatment to 100% of the stormwater flows from the I-405 corridors existing and proposed pollution generating pavement surfaces within the Johns Creek watershed would result in an improvement to water quality of existing storm water discharges to Johns Creek; and
- that detention is not necessary in this instance as it provides no additional protection to downstream resources
  - ♦ That providing detention to I-405 runoff routed to the Johns Creek Outfall prior to discharge would provide limited environmental or resource protection benefit. The outfall location, as shown to the north of the Park entrance, is within the backwater area of Lake Washington, there is sufficient channel capacity in the affected reach of Johns Creek to safely accommodate unrestricted stormwater runoff flows from the I-405 corridor, and that post-project flow velocities would be low enough that there are no erosion or bank stability concerns; and
- the new system will also convey the 100 yr local flows from upstream basins
  - ♦ That the I-405 conveyance shall convey the 100-year design storm of 3 upstream sub-basins of Johns Creek that currently cross I-405 to the new discharge so that these flows are removed from the local conveyance systems they currently occupy; and
- the new conveyance system and outfall will reduce flooding near Southport bridge
  - ♦ That establishing the Johns Creek Outfall will reduce flooding in the vicinity of the Southport stream crossing immediately upstream of Gene Coulon Memorial Beach Park; and
- the new conveyance system will free capacity in existing conveyance systems
  - ♦ That establishing the Johns Creek Outfall will free capacity in existing local drainage and conveyance systems.

<u>City of Renton agrees:</u>

- to provide easements upon approval of final design
  - ♦ To approve drainage and temporary construction easements submitted by WSDOT on properties owned by the City to allow construction and operation of the stormwater outfall and related conveyance system as described in the 15% design document (<u>Appendix E: Johns Creek Backwater Analysis</u> and <u>Appendix F: Outfall Pipeline Hydraulic Analysis,</u> Supplements to *Preliminary Hydraulic Report, North 8th HOV Direct Access*).; and
- to participate in finalizing design
  - ♦ To participate in discussions with WSDOT and the Design/Build team as part of progressing the 15% design to the final design such that a final design review by the City will take place in timely manner to approve required City permits for construction; and
- to support direct discharge waiver if one is needed
  - ♦ To support a WSDOT request for a direct discharge waiver to Department of Ecology, should such a waiver be deemed necessary as part of the permitting process for the Renton to Bellevue Project. City support will be based on hydraulic and hydrologic analyses reviewed by the City and is subject to any environmental reviews that may be performed in the future; and

- to work towards consensus to address new issues
  - ♦ To work with WSDOT and the Design/Build team to reach consensus on how to address new issues as they develop as part of the implementation process for the Johns Creek Outfall; and
- to own, operate, and maintain the conveyance system outside of WSDOT ROW
  - ♦ To accept ownership upon completion of construction, and to operate and maintain those portions of the conveyance system which lie outside of the WSDOT ROW as shown in the 15% design review plans. The City's agreement to maintain these systems is contingent upon the City's approvals in regards to ease of maintenance access. A final agreement addressing maintenance issues will be developed as part of final design and will address which portions of the final will system will be maintained by the City and which portions will be maintained by WSDOT, and how maintenance costs will be distributed between the two parties.

WSDOT agrees:

- to construct as planned
  - ♦ To construct the Johns Creek stormwater outfall as described in the 15% design document (Appendix E: Johns Creek Backwater Analysis and Appendix F: Outfall Pipeline Hydraulic Analysis, Supplements to *Preliminary Hydraulic Report, North 8th HOV Direct Access*).and
- to participate in finalizing design
  - ♦ To participate in discussions with City of Renton and the Design/Build team as part of progressing the 15% design to the final design; and
- to make no project changes without concurrence from Renton
  - ♦ To make no changes to the 15% design document (Appendix E: Johns Creek Backwater Analysis and Appendix F: Outfall Pipeline Hydraulic Analysis, Supplements to *Preliminary Hydraulic Report, North 8th HOV Direct Access*) or the area draining to this outfall without prior concurrence from the City of Renton; and
- to provide enhanced water quality treatment for I-405 flows
  - ♦ To provide enhanced water quality treatment methods (per the approved water quality treatment methods defined in the WSDOT Highway Runoff Manual that are applicable at the time of final design) for 100% of the existing and proposed pollution generating pavement surfaces within the I-405 corridor which is routed to the Johns Creek discharge; and
- to provide conveyance capacity to handle 100yr flows from I-405
  - ♦ To provide conveyance capacity sufficient to handle stormwater flows generated by the implementation phase of the Renton to Bellevue Project; and
- to provide conveyance capacity to handle 100yr flows from offsite basins for future land-use conditions
  - ♦ To provide conveyance capacity sufficient to handle current and future off-site flows from upstream tributary areas identified on Sheet 1, Exhibit A, and upstream land use for ultimate development as determined from the City of Renton Zoning Map, adopted 12/22/03 (*Appendix E: Johns Creek Backwater Analysis*), and as described in Appendix E: *Johns Creek Backwater Analysis*. It is agreed that WSDOT will capture off-site flows upstream of I-405 and route them directly to the Johns Creek

Outfall without detention or treatment, thereby diverting flows away from existing City of Renton local conveyance systems west of I-405. It is agreed based upon the 15% design that 200 cfs constitutes sufficient capacity to meet this requirement, which may be revised as part of the final design; and

- to own, operate, and maintain the conveyance system within the WSDOT ROW
  - ♦ To own, operate, and maintain the portions of the Johns Creek conveyance system that lie within the WSDOT ROW. A final agreement addressing maintenance issues will be developed as part of final design and will address which portions of the final will system will be maintained by the City and which portions will be maintained by WSDOT, and how maintenance costs will be distributed between the two parties.
  - ♦ To secure all necessary Section 4(f), Section 6 and/or other approvals related to use of the City park as part of the WSDOT project.

Protection of Park Uses, Timing Issues

- to minimize impacts to Park operations
  - ♦ To work diligently with City of Renton Parks Department and the Design/Build team during construction to minimize physical impacts and disruption to recreation activities and maintenance operations at Gene Coulon Memorial Beach Park and at the Park Maintenance Facility; and
- to construct upland portions between Oct 15th and March 1st
  - ♦ To minimize disrupting access to the Park by Park users, construction of the portions of the Johns Creek Outfall in the vicinity of the Park will occur during periods of low Park use (between October 15th and March 1st) except where limited by State and Federal permits; and
- to start construction of in-water structure after July 4th weekend
  - ♦ To minimize disrupting access to the Park by park users. When construction activity which must occur during high-park use periods due to State or Federal permit conditions, such activities will occur after July 4th weekend and not during Renton River Days; and
- to keep access open to Maintenance Facility between 5am and 11pm
  - ♦ To minimize disrupting access to the Park Maintenance Facility, construction activities impacting access to the Maintenance Facility will occur during periods of low Park use (between October 15th and March 1st) and will occur so that access to the Maintenance Facility is available during maintenance staff work hours (between 5AM and 11 PM) and
- to maintain security at the maintenance facility during construction
  - ♦ To provide and maintain security of maintenance facility during night work conditions when existing security measures are adversely affected by construction activities.

Protection of Plant Materials

- to avoid impacting median planters and plant materials

- To avoid impacts to the Park's natural resources and plant materials, measures will be implemented to protect valuable plant materials within existing median planters on Park roadways. Measures will include prohibition of machinery operation in planter areas, prohibition of stockpiling in planter areas, protective fencing around planter areas during construction, and other measures agreed to by both parties during development of final design; and

- to avoid removing trees

- To avoid impacts to the Park's natural resources and plants, no mature trees will be removed within the Park and substantial measures will be implemented to protect mature trees adjacent to the outfall route. Measures will include establishment and fencing of an exclusion zone around existing trees, prohibition of any construction related activity within the exclusion zone, and other measures agreed to by both parties during development of final design; and

- to confine construction disturbance to asphalt areas, where practicable

- To avoid impact to the Parks natural resources and plant materials, all construction activity will be confined to areas of existing asphalt paving where practicable. Construction of the outfall itself will necessitate work on the stream bank within the Park Maintenance Facility, and will not be confined to asphalt paving areas; and

- to restore disturbed areas

- To restore all disturbed areas including asphalt, mulching, landscaping, fencing, etc. to pre-project conditions at completion of construction; and

- to verify design accommodates anticipated improvements in the Basin

- To minimize reconstruction of the outfall, the final design shall verify that the outfall system accommodates future City and private improvements that are known by the City at the time of the final design.

- To address other impacts as identified

- To minimize park impacts as required.

Construction outside of WSDOT I-405 ROW

- To minimize impacts to traffic, adjacent business and property owners when constructing the Johns Creek storm water conveyance system outside of WSDOT ROW, WSDOT will provide coordination with property owners and business and provide for approval by the City a traffic control plan; and
- Be responsible for any and all Utility relocates that may be required, the acquisition of any easements or property rights required for the construction of the Johns Creek stormwater conveyance system that are not covered by existing WSDOT permits or agreements (any Betterment for Utility to be by the Utility owner), and provide full and complete restoration of the construction area to existing (pre-project) conditions.

Permits from other agencies are required

- The final design and construction of the proposed Johns Creek Outfall is dependent upon the results of the environmental review (SEPA/NEPA) and WSDOT obtaining the required approvals and permits from all appropriate local, state and federal agencies, including grant agencies