



INFORMATIONAL MEMORANDUM

TO: **Transportation and Infrastructure Committee**
 FROM: **Henry Hash, Public Works Director** *HH*
 BY: **Mike Perfetti, Habitat Project Manager**
 CC: **Mayor Ekberg**
 DATE: **May 31, 2019**
 SUBJECT: **Surface Water Fund - Riverton Creek Flap Gate Removal Project**
Project No. 99830103, Contract 18-083
Recreation and Conservation Office (RCO) Amendment No. 2

ISSUE

Authorize the Mayor to sign Amendment No. 2 to the RCO grant agreement 18-083 for the Riverton Creek Flap Gate Removal Project.

BACKGROUND

The City entered into a grant agreement (RCO # 17-1048R) for design and construction of the Riverton Creek Flapgate Removal Project on January 31, 2018.

DISCUSSION

The City, through WRIA 9, requested a cost increase to accommodate design changes that resulted from Salmon Recovery Funding Board comments on the preliminary design submittal. Amendment No. 2 includes \$100,000 in additional funding from the RCO, as well as a reiteration of the special conditions and slight modification to the agreement description.

FISCAL IMPACT

Sponsor match will come primarily from Cooperative Watershed Management (CWM) funds, which are allocated from the King County Flood Control District to WRIAs 7,8,9 & 10 to help implement high priority projects. The WRIA 9 Forum approved \$140,000 for the Riverton Creek Flapgate Removal Project on May 9, 2019 and that agreement will become available in the fall of 2019. The remainder of the match will come from dedicated 2019-2020 Surface Water Utility Revenue. The overall CIP budget will be increased due to this additional funding.

RCO Agreement Funding Summary

	Original Agreement	Amendment No. 2	Revised Agreement
RCO	\$846,965	\$100,000	\$946,965
CWM		\$140,000	\$140,000
City Surface Water	\$149,465	\$44,035	\$193,500
Total	\$996,430	\$284,035	\$1,280,465

RECOMMENDATION

Council is being asked to approve Amendment No. 2 to Grant Agreement N. 18-83 for the Riverton Creek Flapgate Removal Project and consider this item on the Consent Agenda at the June 17, 2019 Regular Meeting.

ATTACHMENTS

- RCO Amendment No. 2
- City of Tukwila Cost Increase request, May 1, 2019
- Page 93, 2019 CIP

Natural Resources Building
P.O. Box 40917
Olympia, WA 98504-0917

1111 Washington St. S.E.
Olympia, WA 98501



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

STATE OF WASHINGTON
RECREATION AND CONSERVATION OFFICE

RECEIVED

MAY 09 2019

TUKWILA
PUBLIC WORKS

May 6, 2019

Mike Perfetti
City of Tukwila
6200 Southcenter Blvd
Tukwila, WA 98188

RE: Riverton Creek Flapgate Removal II, RCO #17-1048R
Amendment # 2

Dear Mike Perfetti:

In response to your request to amend the above-referenced Project Agreement, we have reviewed the circumstances and pertinent RCWs, WACs, and program policies relating to your request. The RCO Director approved this cost increase amendment to the Riverton Creek Flapgate Removal II project.

Enclosed are two original amendments to the Project Agreement, along with copies of the project description, special conditions, and eligible scope activities. I've also included a highlighted version of the SRFB Technical Review Panel Preliminary Design Review memo to underscore the information you'll need to integrate as you proceed with final designs. Please sign both amendments, retain one for your records, and return one original. If you have any questions, please call Elizabeth Butler at (360) 867-8650, or send an e-mail to elizabeth.butler@rco.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Butler".

Elizabeth Butler

Salmon Recovery Grant Manager

Enclosures



Amendment to Project Agreement

Project Sponsor: City of Tukwila
Project Title: Riverton Creek Flapgate Removal II

Project Number: 17-1048R
Amendment Number: 2

Amendment Type:

Cost Change

Amendment Description:

In response to sponsor's request for funding to afford additional salmon habitat enhancements and rising design costs, Puget Sound Partnership approved increasing the project agreement to total \$1,280,465 with the addition of a) \$100,000 of 2013-15 PSAR return funds bringing the total PSAR amount to \$651,070; and b) \$184,035 of match bringing Sponsor contribution to total \$333,500. The Salmon Federal funding remains at \$295,895.

Project Funding:

The total cost of the project for the purpose of this Agreement changes as follows:

	Old Amount		New Amount	
	Amount	%	Amount	%
RCO - PSAR	\$551,070.00	55.30%	\$651,070.00	50.85%
RCO - SALMON FED PROJ	\$295,895.00	29.70%	\$295,895.00	23.11%
Project Sponsor	\$149,465.00	15.00%	\$333,500.00	26.05%
Total Project Cost	<u>\$996,430.00</u>	<u>100%</u>	<u>\$1,280,465.00</u>	<u>100%</u>
Admin Limit	\$0.00	5.00%	\$0.00	5.00%
A&E Limit	\$215,000.00	27.51%	\$295,491.92	30.00%

Agreement Terms

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

State Of Washington
Recreation and Conservation Office

City of Tukwila

BY: _____

Kaleen Cottingham

TITLE: Director

DATE: 5/6/19

Pre-approved as to form:

BY: _____

/S/

Assistant Attorney General

AGENCY: _____

BY: _____

TITLE: _____

DATE: _____

Amendment Special Conditions

Project Sponsor: City of Tukwila
Project Title: Riverton Creek Flapgate Removal II

Project Number: 17-1048 R
Amendment Number: 2

Special Conditions

The sponsor will provide records of documentation, meeting notes, and decision points from coordination with WSDOT pertaining to all relevant topics and project elements, especially (but not limited to) design and maintenance requirements, stormwater analysis, ESA-listed salmon impact assessment and permitting. This information should be provided to the review panel at a minimum at 3 decision points including prior to 1) design alternative selection, 2) preliminary design, and 3) final design and construction. The review panel will need sufficient time to review the documentation so please plan for 30 days review time. The review panel may then request additional information.

All design documents must meet the Salmon Recovery Funding Board Manual 18, Appendix D: Design and Restoration Project Deliverables.

In order to satisfy 15 CFR 24.42(b) & (c) For projects that contain Pacific Coast Salmon Recovery Funds or are used as match to Pacific Coast Salmon Recovery Funds the sponsor shall retain records for a period of nine years from the date RCO deems the project complete as defined in the PROJECT REIMBURSEMENTS Section.

Amendment Agreement Description

Project Sponsor: City of Tukwila
Project Title: Riverton Creek Flapgate Removal II

Project Number: 17-1048 R
Amendment Number: 2

Agreement Description

The City of Tukwila will improve habitat conditions along the lower 1300 lineal feet of Riverton Creek and restore fish access between the creek and the Duwamish River, providing off-channel rearing habitat for salmonids, including the ESA listed Chinook salmon, steelhead, and bull trout. The property is located along the Green River Trail on the left bank of the Duwamish River at RM 6.5, all within the tidally influenced estuary. The site is across the river from Duwamish Gardens and Chinook Wind habitat restoration projects, and adjacent to the SR 599 off ramp to Tukwila International Boulevard. Restoration will include:

- Adding large wood to the creek channel
- Removing invasive vegetation and planting native trees and shrubs to establish a riparian buffer along 400 ft on the Duwamish River and on each side of the creek, including a ¼ acre emergent wetland
- Removing two perched culverts and flapgates
- Removing fill from 0.1 acre of estuary
- Installing a new pedestrian bridge for the Green River Trail
- Constructing a structural sheet pile wall to reinforce and protect the roadway and the southern bridge abutment.

The pedestrian bridge and an interpretive sign will provide an opportunity for people to experience nature and view wildlife. This Duwamish River bank is categorized as 'critical' on the Muckleshoot Tribes Sun Aspect Map, identifying a most important need for shade, based on solar aspect.

Amendment Eligible Scope Activities

Project Sponsor: City of Tukwila

Project Number: 17-1048

Project Title: Riverton Creek Flapgate Removal II

Project Type: Restoration

Program: Salmon Federal Projects

Amendment #: 2

Restoration Metrics

Worksite #1, Riverton Creek

Targeted salmonid ESU/DPS (A.23):

Chinook Salmon-Puget Sound ESU,
Steelhead-Puget Sound DPS

Targeted species (non-ESU species):

Bull Trout

Miles of Stream and/or Shoreline Treated or Protected (C.0.b):

0.30

0.08 miles along Duwamish; 0.22 miles along Riverton

Project Identified In a Plan or Watershed Assessment (C.0.c):

Green/Duwamish and Central Puget Sound Watershed Water Resource Inventory Area 9 (WRIA 9) Steering Committee. August 2005. Salmon Habitat Plan – Making Our Watershed Fit for a King. Prepared for the WRIA 9 Forum.

Available at:

King County Water and Land Resources Division

201 South Jackson Street, Suite 201
Seattle, WA 98104

(206) 296-6519

None

Type Of Monitoring (C.0.d.1):

Estuarine / Nearshore Project

Total Amount Of Estuarine / Nearshore Acres Treated (C.9.b):

0.7

0.7 is the approx tidally influenced area below OHW

Removal of existing fill material (C.9.g.1)

Acres of Estuary Treated through fill material removal (C.9.g.2):

0.1

Tidegate alteration / removal (C.9.e.1)

Number of Tidegates Altered/Removed To Allow Fish Passage (C.9.e.2):

2

Two culverts with tidegates will be removed and replaced with a pedestrian bridge for the Green River Trail.

Acres opened To Fish Passage through tidegate alteration/removal (C.9.e.3):

0.7

Instream Habitat Project

Total Miles Of Instream Habitat Treated (C.4.b):

0.10

Channel structure placement (C.4.d.1)

Material Used For Channel Structure (C.4.d.2):

Logs Fastened Together (Logjam),
Stumps With Roots Attached
(Rootwads)

Miles of Stream Treated for channel structure placement (C.4.d.3):

0.11

0.1 in PSAR app 16-1892; 0.01 additional here

Pools Created through channel structure placement (C.4.d.5):

6

5 in PSAR app 16-1892; 1 additional here

Number of structures placed in channel (C.4.d.7):

15

Request for returned funds

Date of request: May 1, 2019

Lead Entity: WRIA 9 Green Duwamish and Central Puget Sound

Project Title: Riverton Creek Flapgate Removal Project

PRISM #: 17-1048

Project Sponsor: City of Tukwila

Amount being requested: \$241,436

Please provide the following:

1. Justification and need for the cost increase (and any uncertainties associated with the amount)

Cost increases include (see attached drawings):

- Habitat enhancement: add LWD in lower channel (addresses SRFB comment)
- Habitat enhancement: step channel down at confluence w/ Duwamish R. to create salmonid access at low water conditions; current design shows no access at elevations below el ~+2; Increase bridge abutment wall height to account for channel grade step down
- Habitat enhancement: modify LWD installation at outlet from pool to allow slower release of water at low tide, and thus, create pool in backwater area during low water

2. Timeline for allocating funds

The need for funding is immediate. Maintaining the construction schedule for the 2020 fish window depends on this additional funding so that the city can make progress on design and submit permit applications.

3. Description of LE approval process

The WRIA 9 Lead Entity Implementation and Technical Committee evaluates and approves most project cost and scope increases. Projects requests requiring involvement from the Watershed Ecosystem Forum are elevated. Most projects in good standing with clear justification for the request are evaluated at the ITC level. Project sponsors are requested to attend and present the request, or if the sponsor cannot attend, the lead entity coordinator or another proxy will present. Upon approval the lead entity coordinator will submit the request to RCO. The project has already received preliminary approval by the ITC. The sponsor will be presenting this request to the ITC on February 20th for final approval.

4. Description of project

The City of Tukwila will improve habitat conditions along the lower 1300 lineal feet of Riverton Creek and restore fish access between the creek and the Duwamish River, providing off-channel rearing habitat for salmonids, including the ESA listed Chinook salmon, steelhead, and bull trout. The property is located along the Green River Trail on the left bank of the Duwamish River at RM 6.5, all within the tidally influenced estuary. Restoration will include a) adding large wood to the creek channel, b) removing invasive vegetation and installing native plants to establish a native riparian buffer along 400 ft on the Duwamish River and on each side of the creek, including a ¼ acre emergent wetland, c) removing two perched culverts with flapgates d) installing a new pedestrian bridge for the Green River Trail and structural reinforcement to the adjacent roadway (Tukwila International Blvd). The site is across the river from Duwamish Gardens and Chinook Wind habitat restoration projects, and adjacent to the SR 599 off ramp to Tukwila International Boulevard. Reconnecting the creek to the river requires construction of a structural sheet pile wall to protect the southern Tukwila International Boulevard bridge abutment. The pedestrian bridge and an interpretive sign will provide an opportunity for people to experience nature and view wildlife. This Duwamish River bank is categorized as 'critical' on the Muckleshoot Tribes Sun Aspect Map, identifying a most critical need of shade based on solar aspect.

5. Original budget plus the costs associated with the request (please include the amount of match being offered for this request)

The current agreement with RCO is for \$996,430 (\$551,070 PSAR; \$295,895 SRFB; \$149,465 City match). The previous construction cost estimate from June, 2018 was \$918,242.87. The estimate was revised on 12/10/2018 to \$1,173,820 (+\$255,578). An additional \$87,000 in design fees are associated with the construction cost increase (see attached cost estimate). In addition, City staff expenses, which include project management, coordination with stakeholders, landscape plans/specs, and permitting are expected to increase. Additional construction management costs, WSDOT permit review costs and contingency costs are itemized in the spreadsheet below.

Cost increase	Amount	Notes
Construction	\$172,341	Assumes WSDOT will pay for Media Filter Drain; est. value \$38,300
Construction Contingency (10%)	\$17,234	
Design	\$30,000	
WSDOT permit review/inspection estimate	\$30,000	
Construction Admin (20%)	\$34,468	
Total	\$284,043	
Total Request	\$241,436	\$100,000 Requested from PSP/RCO \$141,436 Requested from WRIA 9
Match (15%)	\$42,606	City 2019-2020 CIP funds

\$714,726.02 remains in the current RCO agreement. Approximately \$310,000 is budgeted through the City CIP in 2019 and 2020 (This includes dedicated match for the RCO agreement).

6. How many cost increases have been previously requested for this project, or an associated project?

One. The City was awarded the PSAR funding in 2016 and was supplemented with SRFB funds in 2017. The two agreements were combined.

7. Are you also requesting a **time extension**?

No time extension is being requested. The current RCO agreement ends on 06/30/2021.

CITY OF TUKWILA CAPITAL PROJECT SUMMARY

2019 to 2024

PROJECT: Riverton Creek Flap Gate Removal

Project No. 99830103

DESCRIPTION: Remove two culverts and flap gates at Duwamish River; install pipe arch, create open channel confluence, install trail bridge over new channel, restore/revegetate 200 feet of creek channel and 450 ft. of pond shoreline.

JUSTIFICATION: Increase available salmonid rearing habitat and increase flood refuge in lower Duwamish River. Improve fish access to Riverton Creek and enhance salmon rearing and resting area.

STATUS: Design underway in 2018. Construction grant of \$846k from WA State RCO.

MAINT. IMPACT: Expected to increase maintenance.

COMMENT: Project used as mitigation for East Marginal Way Pipe Replacement Project and HPA Control #133763-1 requires work to be completed by June 11, 2019, which will need to be extended.

FINANCIAL (in \$000's)	Through		Estimated							
	2017	2018	2019	2020	2021	2022	2023	2024	BEYOND	TOTAL
EXPENSES										
Design	204	100	40							344
Land (R/W)										0
Monitoring				15	15	15	15	15	15	90
Const. Mgmt.			184							184
Construction			918							918
TOTAL EXPENSES	204	100	1,142	15	15	15	15	15	15	1,536
FUND SOURCES										
Awarded Grant	72		847							919
Proposed Grant										0
Mitigation Actual										0
Mitigation Expected										0
Utility Revenue	132	100	295	15	15	15	15	15	15	617
TOTAL SOURCES	204	100	1,142	15	15	15	15	15	15	1,536

