

## Project #09-1277, Qwuloolt Estuary Restoration - Construction

Submitted by Josh Meidav on 09/21/2011

Accepted by Kay Caromile on 10/06/2011

### CONTACTS

**Primary Sponsor:** Tulalip Tribe

**Project Contact:** Kurt Nelson  
knelson@tulaliptribes-nsn.gov

**Lead Entity:** Snohomish County LE

**Alt Project Contact:** Josh Meidav  
jmeidav@tulaliptribes-nsn.gov

**Managing Agency:** Rec. and Conserv. Office

**RCO Grant Manager:** Kay Caromile  
kay.caromile@rco.wa.gov

### COSTS TO DATE

**Project Start Date:** 10/16/2009

**FundingEnd Date:** 01/01/2012

Funding Formula:	Requested	Original	Current
Puget Sound Acq. & Restoration:	\$500,000.00 (85%)	\$500,000.00 (85%)	\$500,000.00 (85%)
Sponsor Match:	\$90,000.00 (15%)	\$90,000.00 (15%)	\$90,000.00 (15%)
<b>Total:</b>	<b>\$590,000.00 (100%)</b>	<b>\$590,000.00 (100%)</b>	<b>\$590,000.00 (100%)</b>

<b>Paid To Date:</b>	\$14,289.81	<b>Last Released Billing:</b>	04/14/2011
<b>Remaining RCO Funds:</b>	\$485,710.19	<b>Pending Billing:</b>	No
<b>Advance Balance:</b>	\$0.00	<b>Match Bank:</b>	\$1,190.51
<b>Admin Limit:</b>	\$0.00	<b>Admin Spent:</b>	\$0.00
<b>A&amp;E Limit:</b>	\$55,000.00 10.28%	<b>A&amp;E Spent:</b>	\$18,052.49 3.05%
		<b>Number of Billings:</b>	1

### PROGRESS REPORT QUESTIONS

#	Question	Answer	Answer Description
1 of 4	Are there any significant challenges that might hinder progress or keep you from meeting your project milestones? If so, please tell us about them.	Yes	<p>ACOE final design review was delayed and also the permitting process under NEPA was delayed (ACOE responsible for shepherding the project through that NEPA process). There has been a Finding of No Significant Impact (FONSI), which is part of the National Environmental Protection Act (NEPA) permitting process..</p> <p>The Shoreline Substantial Development Permit application, as pursuant to the Shoreline Management Act and a State Environmental Protection Act (SEPA) checklist, was re-submitted in April 2011 in order to complete local permitting requirements. The permit was appealed by a local landowner, thus delaying approval. A hearing examiner upheld the permit and denied the appeal. We do not believe that this issue has been resolved as of yet. We hope to have this resolved by the end of 2011. This should not delay levee design. We are hopeful that this will not delay construction. In the meantime, pre-construction project site preparation is moving forward. Refer to subsequent answers for progress.</p>

2 of 4 Describe the work accomplished during this reporting period.

Site preparation and planting for project perimeter as well as within project footprint have begun. Existing structure within project area has been demolished. Additional geotechnical data collection for the levee footprint is being collected. Topographic planimetric survey information has been collected for the levee footprint and stormwater detention pond. NOAA Fisheries and Tulalip Tribes are continuing with pre-project synoptic ecological monitoring. We anticipate that the major portion of funding for this work will be committed to ACOE during this next fiscal quarter.

3 of 4 Do you anticipate any changes to your project? Please describe those changes here.

Yes

With further design analyses, we expect changes in the final levee and stormwater detention pond footprints. These changes could affect locations and material specifications.

4 of 4 Tell us about work planned for the next reporting period.

Levee design should be mostly completed by the end of the next reporting period. Current designs are at 35% completion, we expect 100% completion by the end of December 2011, subject to subsequent internal ACOE internal review. We are planning on processing, hauling, and stockpiling of levee material within this next reporting period.

## MILESTONES

Milestone	Target Date	Description	Completed	Delayed	New	
					Target Date	Progress/Reason for Delay
Project Start	10/16/2009		X			
Cultural Resources Complete	10/16/2009	Completed in 2008	X			
Applied for Permits	03/01/2010	Federal permits were submitted in 2009	X			
Progress Report Submitted	03/15/2011		X			
Annual Project Billing	03/15/2011	and at least once per year thereafter	X			
A&E Plans Submitted	06/01/2011	90% Designs		X	01/16/2012	Due to ACOE delays of FONSI approval.
RFP Complete	07/01/2011	Invitation to Bid		X	04/16/2012	Due to ACOE delays of FONSI approval.
Bid Awarded/Consultant Hired	08/01/2011			X	06/15/2012	Due to ACOE delays of FONSI approval.
Construction Started	08/15/2011			X	07/02/2012	Due to ACOE delays of FONSI approval.
Annual Project Billing	09/30/2011			X	12/30/2011	Due to ACOE delays of FONSI approval.
Progress Report Submitted	09/30/2011		X			
Construction Complete	11/01/2011			X	06/30/2013	Due to ACOE delays of FONSI approval.
Monitor/Steward Plan Submitted	11/30/2011		X			
Agreement End Date	01/01/2012			X	06/30/2013	Due to ACOE delays of FONSI approval.
Monitoring Complete	01/01/2012			X	06/30/2013	Due to ACOE delays of FONSI approval.
Final Docs/Billing to Mgmt Agy	03/01/2012			X	06/30/2013	Due to ACOE delays of FONSI approval.

## PERMITS

Type	Applied Date	Received Date	Expiration Date	Permit Number	Comments
Clear & Grade Permit	05/28/2010				Anticipate approval January 2012, pending submittal of final ACOE levee designs.
Cultural Assessment [Section 106]		12/9/2008		120808-24-COE	Survey in 2006 and 2008. Determination of No Historic Properties Affected.
Dredge/Fill Permit [Section 10/404 or 404]	05/28/2010	11/16/2010		NWS-2010-007?	
Endangered Species Act Compliance [ESA]		1/12/2009		13410-2009-I-01	USFWS Fish Passage/Habitat Restoration Programmatic, NMFS Section 4(d) Limit Number 8 (Habitat Restoration)
Hydraulics Project Approval [HPA]	05/28/2010				Anticipate approval by December 2011.
SEPA	05/28/2010	6/29/2011			
Shoreline Permit	05/28/2010	8/2/2011			This permit was appealed, but permit was upheld 9/13/2011.
Water Quality Certification [Section 401]	12/24/2008	2/4/2009		PI-09-11	Ecology certifies that work complies with CWA and CZMA and State CZMP.

### Permit Questions

#	Question	Answer	Answer Description
1 of 3	Any additional mitigation requirements? If so, please describe.	No	
2 of 3	Are there any additional permits required? If so, please describe.	Yes	Before WDFW approves HPA, WDFW needs to receive additional designs for project elements.
3 of 3	Tell us about your progress with securing your permits or ESA consultation.		ESA consultation was completed through ACOE FONSI approval process.