DELIVERABLE PREPARATION PROCESS

i.	Prepare Quality Process Log to Track Review Process
(1)	a) Prepare Draft Outline of Document b) Distribute Draft Outline for Client Approval / Comment c) Collect Review Comments and Resolve within Discipline d) Incorporate any Changes into Draft Outline of Document
(2)	a) Prepare Rough Draft Document b) Distribute Rough Draft Document within Discipline c) Collect Review Comments and Prepare Response within Discipline d) Incorporate any Changes into Rough Draft Document
(3)	Perform Technical Edit of Rough Draft
(4)	a) Distribute Draft Document for Interdisciplinary Review b) Collect Review Comments and Prepare Response within Discipline c) Distribute Collated Comments and Responses to Reviewers d) Hold Comment Resolution Meeting to Agree on Responses e) Incorporate any Changes into Draft Document
(5)	Perform Technical Edit of Draft (as needed)
(6)	a) Distribute Final Draft Document for Lead Agency Review b) Collect Review Comments and Prepare Response within Discipline c) Distribute Collated Comments and Responses to Reviewers d) Hold Comment Resolution Meeting to Agree on Responses e) Incorporate any Changes into Final Document
(7)	Perform Technical Edit of Final Draft (as needed)
(8)	a) Submit to Deputy Project Director for Approval of Final Deliverable b) Admin Staff Prepare Transmittal Letter for DPM Signature c) Final Document Submitted to Lead Agencies with copy of Lead Agency Review Comments and Quality Process Log attached

QUALITY PROCESS LOG

Document Name	**Draft Final Permit Strategy**		
Prepared By	**Sandy Gurkewitz**		
Process		**Scheduled Start**	**Scheduled Finish**
A		**06/01/06**	**07/28/06**
2. Discipline QC Review of Rough Draft		**08/04/06**	**08/16/06**
3. Technical Edit of Rough Draft		**08/16/06**	**09/04/06**
4. Interdisciplinary Review		**09/04/06**	**10/13/06**
5. Technical Edit (as needed)		**10/13/06**	**11/1/06**
6. Lead Agency Review		**11/3/06**	**11/22/06**
7. Technical Edit (as needed)		**11/22/06**	**12/31/06**

(1) Draft Outline Review	Reviewers	1,9,2,11,5,8,4,6,7,3		
	Comments	Complete		
	Actual Start	**06/01/06**	Actual Finish	**07/28/06**

(2) Discipline QC Review of Rough Draft	Reviewers	9,2,11		
	Comments	Complete		
	Actual Start	**08/04/06**	Actual Finish	**08/16/06**

(3) Technical Edit of Rough Draft	Reviewers	9,12,13,14		
	Comments	Complete		
	Actual Start	**08/16/06**	Actual Finish	**09/04/06**

(4) Interdisciplinary Review of Draft	Reviewers			
	Comments	Combined with Lead Agency Review		
	Actual Start		Actual Finish	

(5) Technical Edit of Draft (as needed)	Reviewers	9		
	Comments	Complete		
	Actual Start	**10/13/06**	Actual Finish	**11/01/06**

(6) Lead Agency Review of Final Draft	Reviewers	1,2,3,4,5,6,7,8,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24, 25,26,27,28,30,31,32,33,34,35,36		
	Comments	Combined with Lead Agency Review		
	Actual Start	**11/3/06**	Actual Finish	**11/22/06**

(7) Technical Edit (as needed)	Reviewers			
	Comments			
	Actual Start	**11/26/06**	Actual Finish	**ddMONyy**

(8) Approval of Final Deliverable	Deputy Project Director	J. Michael Rigsby, PE		
	Signature	**XXXXXXX**	Date	**ddMONyy**

Reviewers (add Lead Agency Reviewers as appropriate)

	Interest	Name		Interest	Name
1	Construction	Madden, Tom	**21**	Parsons Brinkerhoff	Paul, Jeff
2	Environmental	Stenberg, Kate	**22**	PMAC	McKillop, Dan
3	Transportation		**23**		
4	Urban Design	Pearce, Steve	**24**	Construction	Graves, Ralf
5	Real Estate & Right-of-Way	Hudak, Todd	**25**		
6	Utilities	Conte, Rick	**26**	Sequana	Mueller, Tom
7	Engineering	Dougherty, Tim	**27**	WSDOT	Farley, Kimberly
8	QA/QC	Rigsby, Mike	**28**	WSDOT	Williamson, Alec
9	City of Seattle	Gurkewitz, Sandy	**29**	WSDOT	Johnson, Kandace
10	FHWA	Boch, Steve	**30**	WSDOT	Sax, Stephen
11	Parametrix	Mattern, David	**31**	Parsons	Tracy, Tom
12	Parametrix	Fendt, Kathy	**32**	Rosewater	Erickson, John
13	Parametrix	Halsted, Jesse	**33**	SDOT	Kling, Joyce
14	Anchor Environmental	Durand, Chad	**34**	Seattle City Light	Geissinger, Laurie
15	WSDOT	McCullough, Gwen	**35**	Seattle City Light	Powell, Scott
16			**36**	SPU	Keniston-Longre, Joy
17			**37**	SPU	Patterson, Gavin
18			**38**		
19			**39**		

20	City of Seattle	Chu, Susan	**40**		

Alaskan Way Viaduct and Seawall Replacement Project

Permit Strategy

Submitted to:
Washington State Department of Transportation
Urban Corridors Office
401 Second Avenue S, Suite 560
Seattle, WA 98104

Submitted by:
Parsons Brinckerhoff Quade & Douglas, Inc.

Prepared by:
Parametrix

January 2007

U.S. Department of Transportation
Federal Highway Administration
Washington State Department of Transportation
City of Seattle

SR 99: Alaskan Way Viaduct & Seawall Replacement Project

Permit Strategy

Agreement No. Y-9715

Task AX.T.EN.M.01

The SR 99: Alaskan Way Viaduct & Seawall Replacement Project is a joint effort among the Federal Highway Administration (FHWA), the Washington State Department of Transportation (WSDOT), and the City of Seattle. To conduct this project, WSDOT contracted with:

Parsons Brinckerhoff Quade & Douglas, Inc.
999 Third Avenue, Suite 2200
Seattle, WA 98104

In association with:

Arthur G. Bendelius
Anchor Environmental
BERGER/ABAM Engineers Inc.
Black & Veatch Corporation
Bolima Drafting & Design
Cosmopolitan Engineering, Group, Inc.
David Evans and Associates, Inc.
Entech Northwest, Inc.
HDR Engineering, Inc.
Hirschmugl, Hein & Associates, Inc.
Jacobs Civil Inc.
John F. McDonald, Inc.
KBA, Inc.
Lin & Associates, Inc.
Mimi Sheridan, AICP
Nelson Nygaard Consulting Associates, Inc.
Parametrix, Inc.
Parsons Brinckerhoff Construction Services, Inc.
PB Consult, Inc.
Power Engineers, Inc.
Preston Gates Ellis, LLP
ROMA Design Group
RoseWater Engineering, Inc.
Sequana Environmental
Shannon & Wilson, Inc.
So-Deep, Inc.
Swift Landscape Architects
Taylor Associates, Inc.
Tetra-Tech, Inc.
William P. Ott

Table of Contents

List of Tables

List of Figures

List of Appendix's

ACRONYMS

AWVSRP	Alaskan Way Viaduct and Seawall Replacement Project
CFR	Code of Federal Regulations
City	City of Seattle
CSO	combined sewer overflow
CZMA	Coastal Zone Management Act Preservation
DON	City of Seattle Department of Neighborhoods
DPD	City of Seattle Department of Planning and Development
Ecology	Washington State Department of Ecology
EIS	Environmental impact statement
FHWA	Federal Highway Administration
IPT	Integrated Project Team
JARPA	Joint Aquatic Resources Permit Application
MAP Team	Multi-Agency Permitting Team
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
PF	Permit Forum
RCW	Revised Code of Washington
ROW	Right-of-Way
SCL	Seattle City Light
SDOT	Seattle Department of Transportation
SEPA	State Environmental Policy Act
SMC	Seattle Municipal Code
SPU	Seattle Public Utilities
SR	State Route
UIC	Underground Injection Control
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
WAC	Washington Administrative Code
WDFW	Washington State Department of Fish and Wildlife
WDNR	Washington State Department of Natural Resources
WSDOT	Washington State Department of Transportation

Permit Strategy

1.0 Introduction

This report builds on and amplifies the information contained in the *Environmental Permits and Approvals Guide prepared for the Alaskan Way Viaduct and Seawall Replacement Project* (AWVSRP), dated April 2006. This document lays out processes to minimize risk and maximize coordination among all parties including permit authorities, engineers and designers, and contractors. Coordination among all parties will be necessary to ensure that the permit process runs smoothly and does not affect the project's critical path, and that the project conforms to the terms and conditions of approval during construction. This document has been prepared to function as a living document that will be amended as needed over time and that will serve as a tool to use in developing permit applications and managing permits.

This report provides the following:

- Review of timing for permits – when they are needed, how they fit into the overall project schedule, and which activities trigger them;
- Methodology for streamlining permit review to address how permits will be obtained;
- Identification of roles and responsibilities of the people tasked with obtaining permits and approvals;
- Discussion of processes to manage change and risk during the life of the project (regulatory changes, project changes, etc.);
- Methodology for how environmental and permitting conditions, commitments, and mitigation will be implemented and monitored;
- Discussion of what is involved in closing out permits;
- Processes for agency, internal team and contractor coordination; and
- Procedures to document the permit process.

This report does not lay out all procedural steps for permitting or permit streamlining. Rather it serves as a guide for the development of future work plans to implement the strategies identified here within.

1.1 Project Description

The existing Alaskan Way Viaduct (State Route [SR] 99) and Alaskan Way Seawall were damaged in the 2001 Nisqually earthquake, are at the end of their useful life, and must be replaced. The FHWA, WSDOT, and the City of Seattle plan to replace the existing facilities to provide structures capable of withstanding earthquakes and to ensure that people and goods can safely and efficiently travel within and through

the project corridor. The SR 99 corridor provides vital transportation connections for downtown Seattle, as well as among various other regional destinations. The seawall supports Seattle's central waterfront, the Alaskan Way surface street, and numerous utilities serving downtown Seattle. The seawall also retains the land beneath the foundations of the viaduct. Failure of either structure would create severe hardships for the city and region and could possibly cause injury or death.

A Draft Environmental Impact Statement (DEIS) was completed in March 2004. The DEIS evaluated five Build Alternatives and a No Build Alternative. In late 2004 the lead agencies narrowed the five alternatives down to two (Tunnel and Rebuild) to move forward. In December 2004, the project proponents identified the Tunnel Alternative as the Preferred Alternative and carried the Rebuild Alternative forward for analysis as well.

Since that time, engineering and design have been updated and refined for the Tunnel and Rebuild alternatives. Due to the magnitude of the changes in the design of the Rebuild Alternative, it has been renamed the Elevated Structure Alternative. In addition, a number of construction scenarios have been proposed, and in July 2006, these two alternatives were further evaluated in a Supplemental Draft Environmental Impact Statement (SDEIS). This document addresses permitting processes that would be needed for either alternative.

Even without knowing what type of facilities will be chosen to replace the existing viaduct and seawall, it is still possible to identify some major aspects of construction. Construction of a new facility will involve creation of staging areas, relocation of utilities, demolition of some structures, mitigation for traffic and parking impacts by methods yet to be determined, demolition of the viaduct, construction of a new facility with interchanges or access points, and construction of any mitigation that may be required for impacts to the built and natural environment.

1.2 Overview of Project Permitting Challenges

The AWVSRP is anticipated to take anywhere from 7 to 10 years to construct depending on the alternative and construction methods chosen. The project permitting needs are complex and the design schedule is aggressive as a matter of necessity. The project involves multiple partners, including Federal Highway Administration (FHWA), Washington State Department of Transportation (WSDOT), and the City of Seattle (City).

The work involves activities that trigger over 30 types of permits and approvals, and multiple permits will be required over the life of the project. The different permits required result in the involvement of 14 federal, state, and local permitting authorities or entities, each with its own mandates and regulations which may conflict with each other. During the design and construction process, there are likely

to be changes in design concepts, as well as changes in laws, regulations, plans and policies that could pertain to or affect permitting. Site conditions may change, triggering the need for new or additional permits.

In order to achieve the project's aggressive construction schedule, permitting must be conducted as efficiently as possible. The complexity and timing of the project make avoiding schedule delays imperative since any delay would have large impacts on project costs as well as area businesses and traffic. All of the issues above make it extremely important to have a flexible strategy to obtain permits and approvals without delaying the schedule, along with a process for managing change and risks.

2.0 Required Permits and Approvals

Based on current design concepts and information available from the SEPA/NEPA process, a suite of permits has been identified that will be needed to construct and operate the project. These permits, their timelines and schedules are discussed in detail in the *Environmental Permits and Approvals Guide for the Alaskan Way Viaduct and Seawall Replacement Project* a companion document previously developed for this project, dated April 2006. Required permits and approvals previously identified in this guide are summarized in Table 1.

For the purposes of this report the following definitions of *permit* and *approval* apply:

> A *permit* is defined as an official document required by law that gives permission for a specific activity under certain conditions. An example is a Clean Water Act Section 404 permit issued by the USACE.
>
> An *approval* means a document or process other than a permit that requires a signature by someone in authority at an agency that has jurisdiction over a particular activity. Similarly to permits, an approval may also include specific conditions with which the project must comply. An approval may include documentation, certification, concurrence, easement or license. The Coastal Zone Management Certificate issued by Ecology is an example of an approval

Note that the term *permit* may be used generically within this document to apply to both permits and approvals. Where the discussion pertains specifically to an *approval* rather than a *permit*, that distinction is made.

For purposes of discussion, this document distinguishes between permits required for construction and those required for facility operation of either a tunnel or elevated structure.

2.1 Activities Triggering Permits and Approvals

Different types of project activities trigger the need for permits and this document discusses the potential phasing and batching of the permit applications. Table 1 shows the permits likely to be needed, as well as the general conditions and triggering activities (based on currently available design information).

In general, work in or near the water triggers a suite of water resource and shoreline-related permits and approvals. These include permits issued by the USACE (Section 404 and Section 10 permits), the Washington Department of Fish and Wildlife

(Hydraulic Project Approvals), and the City (Shoreline Substantial Development Permit), as well as approvals by the Washington State Department of Ecology (Section 401 Water Quality Certification, and Coastal Zone Management Act [CZMA] certifications).

In addition, any activity that changes the land use, disturbs the ground or involves movement of dirt triggers the need for permits, including City master use permits, grading permits, and drainage review approvals. Discharge of groundwater to surface water triggers the need for National Pollutant Discharge Elimination System (NPDES) permits for both construction and operations from Ecology. Construction dewatering may also trigger the need for an NPDES permit from Ecology. Any dewatering water discharged to the City's storm system will require a Side Sewer Permit from the City Additionally, an approval may be required from King County.

The need for approvals is also triggered by construction activities that would impact special areas of influence such as historic preservation districts (e.g., the Pioneer Square Preservation District) or areas that hold special franchises, easements or licenses (such as railroads or utilities). Work within City rights-of-way triggers the need for a street use permit.

Note that neither SEPA/NEPA activities nor Section 106 (Historic Preservation Act) evaluations, Endangered Species evaluations or Clean Air Act compliance are included in Table 1 or discussed in detail in this document, . These environmental review processes are being completed on a separate parallel track, will be completed prior to issuance of permits and will inform permit conditioning.

Changes to project scope may necessitate the need for additional SEPA or NEPA analysis and it remains to be seen whether mitigation measures developed through SEPA and NEPA will require additional environmental review. However, it is assumed that the EIS will address all environmental impacts of the project including those that could result from implementation of mitigation measures. Please see Section 3.3.1 for additional discussion of SEPA and NEPA and their relation to the permit processes listed below.

1 **Table 1 - Summary of Project Permits and Approvals**

Permit or Approval	Issuing Agency	General Conditions Requiring	Statutory Authority	Project Triggering Ac
Federal Permits or Approvals[2]				
Clean Water Act - Section 404 Individual and Nationwide Permits	USACE	Discharging, dredging, or placing fill material within waters of the US, drainage channels with a direct connection to surface waters, or adjacent wetlands.	33 USC § 1344 33 CFR § 323	In-water work, temporary o structures between piers, ri replacement, work on seawa CSO/outfall work.
Rivers and Harbors Act - Section 10 Permit	USACE	Obstruction, alteration, or improvement of any navigable water (e.g., rechanneling, piers, wharves, dolphins, bulkheads, buoys).	33 USC § 401 et seq. 33 CFR § 322	Over water structures betwe rip rap replacement, work o and CSO outfall work.
Electrical Transmission Outage Request[3]	Bonneville Power Administration / Regional Transmission Authority	Clearance and shutdown of electric transmission lines.	16 USC 832a 16 USC 832b	Regional transmission line r
Marine Mammal Protection Act, Incidental Harassment Authorization	National Marine Fisheries Service (NMFS)	The "take" of protected species through activities that harass but do not harm or kill, generally through noise, vibration, or suspended sediment..	16 USC § 1361 et seq. 50 CFR §§ 101-108	In-water pile driving and an in-water work.
State Permits or Approvals				
Clean Water Act - Section 401 Water Quality Certification	Ecology	Activity requiring a federal permit/license for discharge into navigable waters.	33 USC § 1341 RCW 90.48.260 WAC 173-225	In-water work, temporary o structures between piers, ri replacement, work on seawa CSO/outfall work (any activ also triggers a USACE Sectio permit).

[1] As project design proceeds, additional triggering activities may be identified. This table is subject to change.

[2] Note that Endangered Species Act approval is occurring under a separate process associated with the preparation of the Environmental Impact Statement.

[3] This approval will be obtained by Seattle City Light in coordination with the project as needed.

Temporary Water Quality Modification (possibly required) – approval would most likely occur as part of the 401 and not a stand-alone approval. Approval must be issued by Administrative Order of some kind.	Ecology	Activity requiring a federal permit/license for discharge into navigable waters where water quality standards cannot be met for a short duration. Allowed on a case-by-case basis and only when no impact expected to fisheries or habitat.	WAC 173-201. A.110	Same work covered by 401 Certification, but applicable instances where water quali standards cannot be met.
Coastal Zone Management Act Certificate	Ecology	Applicants for federal permits/licenses associated with any over or in-water work are required to certify that the activity will comply with the state's Coastal Zone Management program (Shoreline Management Act).	16 USC 1451 et seq. 15 CFR 923-930 RCW 90.58	In-water work, temporary o structures between piers, rip replacement, work on seawa CSO/outfall work (any activ also triggers a USACE Sectio permit).
NPDES Construction Stormwater Permit (Individual, although coverage under the General permit may be available for portions of the work depending on how the project is phased.)	Ecology	All soil disturbing activities where construction activity will disturb 1 or more acres and will result in discharge of stormwater to receiving water, and/or storm drains that discharge to a receiving water. Also required if detention facilities will be constructed to retain stormwater on site.	33 USC § 1342 40 CFR Parts 122, 123 and 124, Subchapter D WAC 173-226	Overall project demolition a construction activities, inclu utility relocations.
NPDES Wastewater Discharge Permit (Construction)[1]	Ecology	Discharge or disposal of municipal and industrial wastewater into surface waters, groundwater or to an NPDES-permitted wastewater treatment plant.	RCW 90.48 WAC 173-220	Discharge of process water s that resulting from dewateri wheel washes, or sawcutting surface waters, groundwate system.
NPDES Individual Wastewater Discharge Permit (Tunnel facilities permit)	Ecology	Discharge or disposal of municipal and industrial wastewater into surface waters, groundwater or to an NPDES-permitted wastewater treatment plant.	RCW 90.48 WAC 173-220	Discharge of water from the during operation over the li facility.

[1] Control of process water could occur via this separate permit. It may also be possible to address the issue within the Individual Construction NPDES permit. The Project Permit Team will confirm need for this permit with agency staff.

NPDES Municipal Stormwater General Permit (Operations) (MS4)[1]	Ecology	Activities resulting in the disposal of waste material into a waterbody.	RCW 90.48 WAC 173-220	No new permit will be requi project will be covered unde City's existing permit.

1

NPDES CSO Wastewater Discharge Permit	Ecology	Activities resulting in the disposal or waste material into a waterbody.	RCW 90.48 WAC 173-220	Modifications to the combin system and discharge of sto (to the CSO) from operation new permit will be required.,However, addition engineering reports addressi proposed changes to outfalls required.
Underground Injection Control Registration	Ecology	Discharge of fluids to the ground through any man-made or improved hole or distribution system.	RCW 43.20A.165 WAC 173-216	Use of UICs to re-inject wat dewatering activities into th
Underground Storage Tank Regulations	Ecology	Removal. closure or abandonment of underground storage tanks.	RCW 90.76 WAC 173-360	Removal or decommissionir existing underground storag discovered.
Archaeological [2]Excavations	Washington Department of Archaeology and Historic Preservation	Excavation of archaeological objects or resources.	RCW 27.44 RCW 27.53 WAC 25-48-060	If archaeological resources a identified during constructio
Hydraulic Project Approval	WDFW	Projects that will use, divert, obstruct, or change the natural flow or bed of any state waters (e.g., culvert work, realignment, bridge replacement), rip rap placement, work on seawall.	RCW 77.55.100 WAC 220-110	Seawall work, rip rap replac sheet pile walls, temporary c water structures.
Aquatic Lands Use Authorization	WDNR	Using state-owned aquatic lands (includes harbors, state tidelands, shorelands, and beds of navigable	RCW 79.90 WAC 332-30 RCW	Possibly for seawall work ar other proposed, use of WDN

[1] SPU operates the City's Stormwater and Combined Sewage Overflow systems and manages the two NPDES permits listed in this table for these systems WSDOT is also a municipal permittee under the NPDES program and holds a Municipal Stormwater Permit. State roadways would ordinarily be subject to the conditions of WSDOT's NPDES Municipal Permit, but in this case, since the project work will involve revisions to the City's stormwater system and the project will drain to the City's system, it is anticipated that the project will be covered under the City's NPDES Municipal Permit.

[2] The Section 106 process is being completed concurrently with the Environmental Impact Statement, should be complete by the time project permitting begins, and is not discussed in this document.

		waters).	47.12.026	
Elevator Permit	Department of Labor and Industries	Complete this part of the table		

1

Permit or Approval	Issuing Agency	General Conditions Requiring	Statutory Authority	Project Triggering Ac
Local Permits or Approvals				
Environmentally Critical Areas Ordinance Review	City of Seattle Department of Planning and Development (DPD)	Construction activities that are proposed in or near designated Critical Areas. (At this time the only critical areas identified are Liquefaction Prone and Landslide Prone areas	SMC 25.09	Central waterfront work, in-work.

Permit or Approval	Issuing Agency	General Conditions Requiring	Statutory Authority	Project Triggering Ac
Master Use Permits (e.g., Shoreline Substantial Development Permit)	DPD	Master Use Permits are required for projects requiring one or more land use approvals or decisions listed in SMC 23.76.006. Examples of activities requiring master use permits include: • Establishment or change of use for uses permitted outright, • temporary uses for four (4) weeks or less not otherwise permitted in the zone, • temporary relocation of police and fire stations for twelve (12) months or less; • procedural environmental decisions for Master Use Permits and for building, demolition, grading and other construction • Shoreline substantial development permits (Any "substantial development" within 200 feet of the waters of the state.)	Master Use Permit: SMC 23.76 Shoreline: SMC 23.60	Central waterfront work, in-work, outfall replacement, u relocations.
Grading Permit	DPD	Depending on location and zoning, construction activities that would alter grades by certain amounts or involve various cumulative volumes of excavation, fill, dredging or other earth movement require a grading permit.	SMC 22.804	Grading activities outside of ROW. Grading within the R specifically exempted from t of permit.

Permit or Approval	Issuing Agency	General Conditions Requiring	Statutory Authority	Project Triggering Ac
Stormwater and Drainage Control Review	DPD	Any land disturbing activities, construction of new impervious surface over 750 square feet, and all discharges of surface water that drain into drainage systems and certain surface waters.	SMC 22.802	Most likely for work outside ROW.
Demolition Permit	DPD	Removal of an existing structure.	SMC 23.76	For removal of Viaduct or o existing structures, includin buildings.
Building Permit	DPD	Design and construction of new buildings or structures.	SMC 22.100	Construction of new buildin structures outside of AWVS ROW.
Side Sewer Permit for dewatering	DPD	Temporary construction dewatering and discharge of dewatering to storm, sanitary, or combined sewer systems.	Director's Rule 3-2004, and SPU Rule 02-04, SMC 21.16	For stormwater and wastew utility work.
Side Sewer Permit, for replacement, construction or Repair	DPD	Repair of existing or construction of new side sewer connection to public sewer system.	SMC 21.16	Excavations that may requir temporary removal and repl of existing side sewers.
Seattle Noise Code Noise Variance	DPD	Activities that would exceed established noise standards based on zoning, time of day and type of activity. Type of equipment used may affect ability to meet noise code requirements.	SMC 25.08	Work outside of hours estab code or noise levels louder t established by code.
Contractor Permits Building, Mechanical; Electrical; Demolition permit, Sign; Elevator; Fire Alarms; and others.	DPD	Various building and construction activities	SMC Title 22 Uniform Building Codes	Contractor schedule for thes triggering activities - items s electrical, plumbing, and me work, temporary and perma signs, installation of fire ala construction and use of elev energy inspections and seve others.

Street Use Permits - Numerous types of street use permits will be required for this project. The following are examples of premits that will most likely be required) • Utility Permits (System Construction , Side Sewer Use of ROW, Service Connects, Maintenance) • Term Uses (long-term street level occupation for structures in ROW, skybridges or bridges over ROW, tunnels under ROW • Shoring and Excavation • Construction Uses (Support activities, such as: staging, materials storage, curb crossings and equipment setups). • Street Decorations	City of Seattle Department of Transportation (SDOT)	Various activities requiring improvement, modification, or use of a public ROW.	SMC Title 15 City Ordinance 108200 SMC 15.04	Almost any work within Cit will require a street use perm Activities include those that the detour of traffic or that v in large truck traffic in the Downtown Traffic Control Z removal/decommissioning o underground storage tanks, City sidewalks, work in are outside the construction bou and within the ROW, that ar for construction support for such as staging, materials st equipment are also be subje 'construction use' permits.

Landmark Building Approval	City of Seattle Department of Neighborhoods (DON)	Activities that might impact a designated landmark.	SMC 25.12	Buildings 25 years or older qualify as landmarks.
Historic District Approvals o Pioneer Square Preservation Board o International Special Review District o Pike Place Market Historical Commission	City of Seattle Department of Neighborhoods (DON); Preservation Boards	Any proposed new buildings or structures, or changes to existing buildings/structures within the historic district, require review.	SMC 23.66 SMC 25.24	Work in any of these histori districts. Three separate app processes.
Construction Dewatering Approval	King County	Discharge of water from construction dewatering activities into sanitary sewer system (Elliott Bay Interceptor).	KCC 28.84	Discharge of water from co dewatering activities into sa sewer system (Elliott Bay Interceptor).
Underground Storage Tank Decommissionin g		In accordance with a permit is required from the Seattle Fire Department prior to decommissioning any underground residential heating oil tank and commercial tanks	Section 105.7.6 of the Seattle Fire Code Chapter 34, Administrative Rule 34.03.04 (SMC 22.602)	UST tank decommissioning

2.2 Construction Permits

The majority of permits included in Table 1 are required for construction. It would be illegal to begin many of these activities prior to receiving the appropriate permit or approval. A few permits however, will be required by a triggering event during construction. For example, a state Archaeologic Excavation permit would be required if significant archaeological resources are found during construction.

2.3 Operational Permits

Certain permits are required for the operation of a facility or state or local infrastructure. Two existing permits are required for the operation of the City's drainage and combined sewage overflow (CSO) systems. The first permit is the National Pollutant Discharge Elimination system Waste Discharge Permit No. WA 003168-2 , which governs the discharge of combined sewer overflows (CSOs) in the

City. The other permit is the National Pollutant Discharge Elimination System and State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewers for the Cedar/Green River Water Quality Area and the portion of the Kitsap Water Quality Management Area located in King County. This permit governs the management of stormwater in the City and went into effect on August 4, 1995. It technically expired on July 5, 2000, although its effectiveness has been extended for the City of Seattle and WSDOT until a new permit becomes effective. Ecology is in the process of issuing a new NPDES permit to Phase I cities and counties that will cover the City of Seattle's municipal separate storm sewer system. That permit is in draft form and is expected to be issued in final form in early 2007. These two permits include requirements for discharges of stormwater and CSO into Elliott Bay.

Discharges of pollutants to waters of the United States from point sources draining from either the tunnel or the elevated structure alternative will require modifications to these two existing NPDES permits issued by Ecology. These two Ecology NPDES are administered and overseen for the City's coverage by Seattle Public Utilities (SPU).

It is anticipated that construction of either a tunnel or elevated structure alternative will meet the requirements of both of these permits. However, to meet the provisions of WAC 173-240-060, a wastewater facility engineering report may be required. SPU is the lead in coordinating this reporting and any additional permit requirements with Ecology and the project.. City staff will be the lead point of contact for communication and coordination with Ecology as these permits relate to AWVSRP utility (stormwater and sewer) relocation or replacement. SPU and the project will work closely on any potential modifications that Ecology may require to these two existing permits, in order to ensure that permit conditions are consistent with the planned operation and construction of the chosen alternative. SPU will also continue to coordinate with King County on these issues.

A third operational permit that would be required for a tunnel alternative is an NPDES Waste Discharge Permit to control the discharge of stormwater and any groundwater seepage into the tunnel. A series of catch basins, drains, and pumps associated with the tunnel would eventually route water that enters the tunnel to Elliott Bay. It is anticipated that the Project Permit Team will apply for this permit. However, this may change when ownership or management of a tunnel is determined.

3.0 Streamlining Recommendations

A number of streamlining approaches are recommended in this document to facilitate the timely review of the multitude of permits required for construction. They include: developing an expert 'in-house' team to prepare and track permit applications, establishing multi-agency permit teams to enable concurrent permit reviews, developing roles and responsibilities of each supporting team; identifying single points of contact at regulatory agencies, identifying efficient ways to package permit applications, and having the project obtain permits typically obtained by contractors, ahead of the project bidding process. The following sections describe these strategies.

3.1 Team Strucuture Roles and Responsibilities

As discussed previously, the majority of permits required for this project will be sought by the project. WSDOT will be the project applicant. The team of staff who will be working on permitting is specifically known as the Project Permit Team. They are part of a larger Integrated Project Management Team or IPT which takes an integrated team approach to the management of the Alaskan Way Viaduct and Seawall Replacement Project (AWVSRP) and is composed of personnel from WSDOT, the Federal Highway Administration, the City of Seattle, and professional consulting firms. The team works together in a "blended, integrated" fashion. Figure 1 illustrates the relationships between the Project Permit Team and the other project teams.

The Project Permit Team is supported by other project teams and an inter-agency advisory group called the Permit Strategy Team. Another team affiliated with the permitting process is a soon to be formed multi-agency permit team – the Permit Forum.

This following sections describe: the various groups working on permitting and their and roles and responsibilities.

3.1.1 Project Permit Team

The Project Permit Team is the implementing group of the IPT. It consists of a team of consultants and is responsible for developing permit applications permit process management, and agency coordination. This team is managed and directed by the Permit Team Manager. Other Project Permit Team responsibilities include:

- Coordinating development and on-going revision of the permit strategy;

- Holding regular Permit Strategy Team meetings, including assuring that meetings are scheduled and minutes are taken;
- Holding and coordinating Permit Forum Meetings;
- Preparing and updating the permit schedule and integrating it with the overall project schedule;
- Coordinating with the Integrated Project Team staff to obtain information and materials for permit applications;
- Working closely with the NEPA/SEPA Team to ensure mitigation measures being proposed through environmental review are being brought forth and included in permit applications.
- Preparing and tracking permit applications;
- Maintaining records and documenting the permit process;
- Assisting the Permit Team Manager in overall coordination of the permit process;
- Tracking permit review and responding to agency comments; and
- Working with the project Environmental Compliance team to ensure that permit conditions are incorporated into construction bid documents and that project work complies with permits.

For the majority of required permits, WSDOT will be applicant. The main point of contact will be the project Environmental Manager and his/her designee.

INSERT FIGURE 1

Figure 1 Integrated Project Management Team (IPT) Structure

3.1.2 Permit Strategy Team

The Permit Strategy Team is a group of City and WSDOT staff who have been working hand in hand to identify permit requirements and develop permit processes and strategies for the project. Their work is lead by the Permit Team Manager. The City staff are from various departments including the Department of Transportation (SDOT), Seattle Public Utilities (SPU), and Seattle City Light (SCL). It is anticipated that representatives from the Seattle Fire and Police Departments and the Seattle Department of Planning and Development (DPD) will be added to this team. WSDOT staff are from the project compliance team as well as the Urban Corridors Office.

Figure 2 Permit Coordination

The Permit Strategy Team is responsible for assisting in the development and implementation of the permit strategy. The team provides advice on permit streamlining, construction coordination, compliance, and internal WSDOT and City of Seattle processes. The team will also assist in:

- Peer review of permit applications as they are developed
- Peer review of permit conditions/mitigation related to each members department
- In some instances will take primary responsibility to obtain specific permits or approvals (e.g., City Light staff will obtain BPA approvals and SPU is responsible for providing managing the City's stormwater and waste discharge permits)
- Assist the development and implementation of schedule and communication protocols.
- Identification of policy issues needing discussion and resolution
- Elevating policy issues which are not resolved in a timely manner

3.1.3 Project Team Support

Support staff from other project teams (such as Utilities and Real Estate/Right of Way) that bring with them the technical details and expertise needed to complete permit applications will participate in discussions with regulatory agencies, pre-application meetings, and will attend Permit Strategy Team and Permit Forum meetings.. These staff provide support as part of a 'matrix' system to the Project Permit Team to enable timely submittal of permit applications.

Upon request of the Project Permit Team, the project team staff will provide required exhibits, plans, and technical information needed to complete permit applications. Close coordination among the Project Permit Team and the various project team working groups is critical to keeping the project on time and budget. .

3.1.4Permit Forum

The Permit Forum, is an affiliation of representatives from regulatory agencies that will be issuing project permits. Its purpose is to provide a coordination process for joint review of the project; to help streamline agency permit application and review processes; and to help achieve the project's goal to receive permits as efficiently as possible. Membership will consist of representatives from the Department of Ecology, WDFW, USACE, WDNR, NMFS/USFWS, and the City (SDOT, SPU,

SCL and DPD). These representatives are WSDOT liaison staff or regulatory agency staff funded by the City of Seattle.

It has been assumed that the Permit Forum will adopt a process similar to that currently used by WSDOT's Multi-Agency Permiting (MAP) team, a group of staff from a number of different regulatory agencies that currently provides joint review of permit applications.

[FORMATTING – Put this information in a side box] At meetings of the MAP team, the project is described to all agency staff at one time, questions and responses from each agency staff members are heard by all other agency staff members, and any feedback given to staff developing the permit applications is heard by all agencies. This can help assure that conflicting directions on approach or data needed are not given by different agencies. The MAP team itself also takes the primary responsibility to resolve any differences in agency approaches or requests rather than a more standard situation where an applicant would need to work with each agency individually and discuss conflicts in approach between agencies with each agency separately.. Any differences in approach that agency members may have are discussed and resolved by the team. This team approach also makes it easier to obtain quick feedback from agency staff when needed since the team concept itself imparts a high level of accountability for agency actions and responses. Using a permit development and review process similar to the MAP team process along with staff dedicated to the project, is one of the major streamlining tools recommended in this document. Note: each permitting agency maintains it's authority to issue permits.

The Permit Forum will begin meeting during early project design and plan development, beginning in the first quarter of 2007. The Permit Forum will establish its own operating procedures. Based on previous discussions with agency staff, this group's process will include:

- Serving as a point of contact for a given agency and providing internal coordination with that agency;
- Participating in on-going and numerous project development and pre-application meetings;
- Providing review of project design submittals and plans at increasing levels of detail;
- Conducting early review of permit applications, and notifying the group working on the applications of the need for changes or additions prior to completion of environmental review;
- Providing guidance on how SEPA/NEPA mitigation measures and conditions will be integrated into permits where needed;
- Providing draft conditions and/or permits for review prior to issuance to allow resolution of potential conflicts;
- Working collectively to assure an efficient permitting process with no conflicting permit conditions; and
- Conducting on-going site visits as needed to personally review project components and impacts.

It is anticipated that the forum will continue to meet during construction to keep the permitting agencies up to date on construction details, permit conditions, monitoring and compliance as well as and potential permit issues which may arise.

3.2 2. Dedicated Staff

A primary strategy to ensure timely and consistent permitting efforts is to use dedicated agency staff for the project. Dedicated staff refers to the provision of funding by an applicant, to pay for a position at a regulatory agency. This position is managed by the organization for which it is employed, and takes direction from that agency. However, the position either works soley on the project it is funded for or works on multiple projects and gives priority to applications submitted by the applicant paying for their time. This type of model helps ensure that applications are prioritized for review and processed in a timely manner and has proven effective on other large, complex projects. Minimizing staff turnover to the extent possible or at least facilitating pro-active training of replacement staff that may come onto the project is also a part of this dedicated staff concept.

In order to keep the project on schedule, dedicated staff on behalf of the regulatory agencies need to be available to participate in project discussions and attend important meetings. Without this critical component, the project's chances of success would be diminished. Where interlocal agreements that would provide for

dedicated staff have not yet been completed, completion of those agreements will be important in order to assure that funding is committed and duties are clearly identified WSDOT and the City of Seattle have already provided funding for dedicated staff at various agencies.

3.2.1 Dedicated Staff at State and Federal Agencies

WSDOT has provided staff on the project development teams, and has provided funding for staff at USACE, Ecology, and WDFW to assist with permitting and project review. Regulatory agency staff may be needed for short-term intensive activities and will be needed regularly for the duration of this project. The concept is to provide for a lead staff person responsible for coordinating permit reviews at the agencies. However, while WSDOT is funding liaison staff positions at these agencies, the liaison staff members are not assigned solely to this project; therefore, project timelines and permitting needs to be carefully coordinated with the agencies to ensure that adequate dedicated resources are provided for the project when needed.

The City is also providing funding for dedicated staff at NMFS/USFWS via pre-existing agreements.

3.2.2 Dedicated Staff at the City of Seattle

The City of Seattle is currently providing dedicated staff to serve as members of the IPT and to coordinate interdepartmental document review. The City plans to fund additional staff in the Department of Planning and Development (DPD) and the Street Use Division of SDOT to assist in obtaining City permits and the ongoing management of those permits. The Project Permit Team Manager is also a dedicated City resource.

As with federal and state agency staff, City staff may be required for short-term peak times, as well as for extended periods of time, and interagency agreements will need to be signed, to document funding sources and identify roles and responsibilities. These peak and long-term efforts will be defined by WSDOT and the City of Seattle as coordination efforts continue.

3.3 Applying for and Obtaining Permits

Typical permit application processeses are complicated and daunting. The AWVSRP will employ a number of strategies to simplify and make the application process more efficient. The following sections describe the overall process the project wishes to follow.

3.3.1 Generalized/Overview of Permitting Process

This section provides a general guide to the AWVSRP permit application process.. Figure 3 provides a summary of this process. It is assumed that the project will face legal challenges throughout the permitting process. Each permit or group of permits has its own appeal processes – with similar time frames. To try and minimize time spent in the appeal process, the project will submit applications to various regulatory agencies in parallel so that appeals can start and end at approximately the same time.

It is also assumed that regulatory agencies via the Permit Forum, will engage in the review of permit applications – over a 6-8 month period as refinements are made to the project design and prior to completion of the SEPA and NEPA environmental review processes. These same regulatory agencies will also be reviewing and commenting on SEPA/NEPA documentation via the RALF process. These long-term parallel reviews should ensure that permit applications are complete with the completion of the NEPA/SEPA process. This process will be further developed by the Permit Forum.

Figure 3 General Process for Obtaining Permits

3.3.2 Over the Shoulder and Concurrent SEPA/NEPA Review

There are many points in the permitting process that can cause delays in obtaining permits. These include submittal of incomplete applications, difficulties in setting pre-application meetings, complex technical evaluations, addressing public comments received on permit applications, numerous and lengthy appeal processes and, for projects with a federal nexus, the length of time to complete the NEPA process. The project will employ several strategies to minimize time delays typically encountered during the permitting process.

City and state permits cannot be issued until the SEPA environmental review process has been completed. After the issuance of the FEIS (anticipated in late 2007), the project will 'decouple' the SEPA and NEPA processes by issuing a SEPA Notice of Action Taken. At this point, barring an appeal, the SEPA process will be complete and SEPA documents will be submitted to permitting agencies.

A main strategy recommended in this document is to submit permit application packets prior to the issuance of the final SEPA or NEPA EIS, after project development approval[1] has been reached. This would remove one potential impediment to permitting. Regulatory agencies do not consider permit applications to be complete until SEPA/NEPA documentation has been provided. Incomplete applications often receive no evaluation at all beyond a determination of completeness, depending on agency workload. Coordination with the regulatory agencies will be needed for this project to confirm that review timelines and procedures will allow for outstanding SEPA/NEPA documentation. During the review period, permitting agencies will inform the Permit Team of application deficiencies. The Permit Team will in turn provide additional information needed to complete the application packet. The Permit Forum will play a critical role in keeping the application process moving relative to SEPA/NEPA efforts.

Once the SEPA EIS process is complete, assuming that coordination procedures are in place and they have worked as intended, the permit applications should be complete, allowing the agencies to continue on to public review processes where appropriate and permit issuance when their review and public comment is complete. Coordination with the agencies will be needed to confim at what point during their review and processing of an application, public notice will be given and comments taken for this project City public review and hearings should generally take 30 days after which permits can be issued. City permits typically have a 10- to 21-day appeal,

[1] The Design Concurrence Milestone occurs at the end of preliminary or conceptual design and requires approval by WSDOT, SDOT, and FHWA.

but some do have a 30-day appeal period following issuance. State permits have a 30-day appeal period following issuance.

Federal permits cannot be obtained until after the issuance of a NEPA FEIS and subsequent issuance of the Record of Decision, 90 days later (early 2008). Federal permits may be issued following issuance of the ROD if there are no legal challenges.

3.3.3 Packaging Permit Applications for Submittal and Review

Three streamlining approaches for applying, reviewing and packaging permits are proposed. The first approach is a project wide permitting process. This refers to the concept of the issuance of one permit to cover similar activities that will occur along the alignment and during various phases of construction. An example would be a USACE 404/Section 10 permit for all in-water work. The second approach involves entering a master agreement for local permitting with the City of Seattle. This process was used by the Sound Transit Central Link Light Rail project. An overarching approval was issued by City Council which allowed the issuance of 'project construction permits' (PCP) by contract. PCPs could then be issued in lieu of several permits typically issued by the Department of Planning and Development such as grading permits, stormwater and drainage control review, building permits, side sewer permits and some over the counter permits. A third strategy involves obtaining discrete permits (those required for specific actions). These types of applications may be submitted in batches or individually

City staff is developing an ordinance to develop a process specifically to address permitting for this project. While it is anticipated that the ordinance will follow some variation of the three-prong approach mentioned above, the ordinance itself and subsequent implementing agreements will need to be completed in order to confirm the approach.

Table 2 shows the initial recommendations for how applications and permits could be packaged and issued.

Table 2 - Summary of Permitting Packaging Strategies

PROJECT-WIDE PERMITS	OVERARCHING AGREEMENT	DISCRETE PERMITS			CONTRACTOR PERMITS
One Permit for Similar Activities	Project Construction Permits (PCPs)	By Activity	For Facility Operation	By Geographic Area or Site	City/State
▪ Section 404/Section 10 permit issued by USACE ▪ Hydraulic Project Approval (HPA) issued by WDFW ▪ Section 401 certification and Temporary Water Quality Modification if needed issued by Ecology ▪ Coastal Zone Management approval issued by Ecology ▪ Aquatic Land Use Authorization issued by WDNR ▪ Noise Variance issued by the City ▪ Stormwater and Drainage Control Review issued by the City ▪ MMPA Incidental Harassment Authorization issued by NMFS ▪ Construction Stormwater Individual Permit issued by Ecology [1] ▪ Shoreline Substantial Development Permit issued by the City or other Master Use	▪ Street Use or Improvement Permits issued by the City ▪ Grading permit issued by the City ▪ Side Sewer Permits ▪ Demolition Permit issued by the City ▪ Removal of Underground Storage Tanks ▪ Environmentally Critical Areas Ordinance Review	▪ NPDES Wastewater Discharge Permit for construction process water discharge issued by Ecology ▪ Electrical Transmission Outage Request ▪ Underground Injection Control Registration	▪ NPDES Municipal General Stormwater Permit (MS4) issued by Ecology ▪ NPDES Wastewater Discharge Permit for CSO Operation issued by Ecology ▪ State Individual Wastewater Discharge Permit for Tunnel Operation issued by Ecology	▪ Pioneer Square Preservation Board Approval ▪ International Special Review District Approval ▪ Pike Place Market Historical Commission Approval ▪ Landmark Building Approval ▪ Construction Dewatering Approval issued by King County ▪ Archaeological Excavations ▪	▪ Building permits ▪ Electrical permits ▪ Mechanical permits ▪ Plumbing permits ▪ Elevator permits ▪ Fire Code Inspections ▪ Energy Code Compliance and Approval

[1] Note that the Individual NPDES Construction Permit is listed as a life of the project permit. One project SWPPP will initially be prepared, and that SWPPP will be amended as the project proceeds, based on contract, geographic area, or other criteria to be determined.

Permits (MUP) issued by the City					

3.3.3.1 Project-Wide Permits

For the AWVSRP, there are a number of activities for which project-wide permitting makes sense and for which the regulatory agencies would most likely allow. One advantage of obtaining one permit to cover a number of similar project activities is a reduction in the number of initial opportunities for appeals.

Potential disadvantages may come later in the project if site conditions, or scope of construction activities were to change, or if permits were to expire before work was completed. These situations would require permit modifications or extensions. Permit modifications would generally be subject to public review and appeal periods, which could impact the project schedule. If appeals of the revised or extended permit were filed, stop work orders might be issued until the appeals were resolved. Permit expiration becomes a particular issue for City of Seattle Street Use Permits, where work after the permit's initial expiration date is generally subject to daily fines whether a permit extension is issued or not. Another disadvantage is the risk of delaying construction of the project due to an outstanding regulatory issue or appeal inherent to just one element of the project.

There are measures available to reduce the risk associated with potential need for permit modifications. Section 3.4.4 describes how performance-based permit conditions may be used to address that risk. Section 3.5 describes the strategy to resolve changed conditions by identifying a process which will be used when conditions change to the extent that permit amendments are required.

The federal and state permits listed in the first column in Table 2 typically are issued as project-wide permits and it is recommended that they be obtained in that way for this project. The timeframe for obtaining these permits, particularly the Section 404/Section 10 permits can be long up to 12 month or longer, even with a close agency coordination process. The 404/Section 10 permits require coordination on the state's Section 401 and CZMA Certifications, as well as compliance with the Endangered Species Act, Marine Mammal Act, and Magnuson Stevens Fishery Act. There are several opportunities for appeal of the 401 and CZMA approvals, potentially delaying the federal and state permit approvals.

The City permits listed in column 1 of Table 2 (noise variance and stormwater review) may also be issued as a project-wide permit and it is recommended that they be applied for in that way for this project. The noise code is in the process of being amended and, in its new form, may allow long-term coverage. Stormwater and drainage control is being coordinated as part of the project design, with City staff participating as members of the IPT and it is presumed that one approval can be issued for this entire project. Drainage features are being addressed and designed comprehensively to manage the entire project's construction and operational stormwater runoff. The Shoreline Substantial Development permit would be a

particularly good candidate for a project-wide permit if the AWVSRP facility is deemed an "essential public facility" by the City[1]. The facility is already defined as such by state standards.

3.3.3.2 Master Agreement and Project Construction Permits

This permitting strategy involves obtaining one master permit or agreement for the life of the project under the terns of a development agreement that establishes a process to obtain subsequent phased approvals (project construction permits) as the project proceeds. This type of agreement has been executed by the City with Sound Transit for the Central Link Light Rail. The agreement is found in a 2000 Memorandum of Understanding, as well as in City ordinances approved by City Council. The agreement requires concurrent review of permit submittals by the DPD, SPU and SDOT and allows the issuance of construction permits by these agencies. It is recommended that similar 'master' permit agreements be developed for Street use approvals and certain land use and construction permits and the applicability of this type of agreement be evaluated for shoreline substantial development permitting.

3.3.3.3 Discrete Permits

There are certain activities such as electrical hookup of a building, demolition of a structure, the operation of a facility or work in a designated historic district, that will require individual or discrete permits. In some cases however,, multiple permits of the same type will be required within a geographic area or for specific contract work (e.g., utility relocations may be completed under multiple contracts, tunnel construction under another set of contracts). For the latter, it is recommended that permit applications be submitted in together and that the project work with permitting agencies to encourage 'batched' review of these applications as they are submitted. For City permits, a development agreement, along with dedicated staff, would need to be in place to facilitate an efficient batch review process.

An opportunity to batch submittal and review of permits would be for side sewer and demolition permits, which are generally issued as discrete permits. It would work well to process these discrete permit applications in batches based, perhaps, on

[1] An Essential Public Facility includes those facilities that are needed to project public health and safety or are typically difficult to site, such as airports, state education facilities, state or regional transportation facilities, state and local correctional facilities, solid waste facilities and wastewater and drinking water systems.

geographic areas. For the purposes of the environmental impact statement and design, the project has been divided into the south, central waterfront, north waterfront, and north sections. If the project is sectioned off in a like manner for the purposes of construction, then this approach would be beneficial.

Any permit processing agreement with the City should also address the discrete permits that would be obtained by the contractor. Some of the activities associated with the AWVSRP would be either located within or adjacent to three special districts: Pioneer Square, International District, and Pike Place Market. Each of these areas has special approval processes that are administered separately. The board/commission reviews the proposed activity using its regulations and guidelines. The board or commission then makes recommendations to the City Department of Neighborhoods as to whether the Certificate of Approval should be issued, issued with conditions, or denied.

There are buildings classified as Landmark Buildings that may be impacted by the project. In order to make alterations to those structures, specific approval would be required from the Landmark Preservation Board. The process for this approval is generally similar in nature to the special districts described above.

The Project Permit Team will coordinate with these special district Boards to determine the most efficient method of submitting materials and obtaining approvals. Discussions with the District Boards will clarify whether all activities proposed within each of the districts could be addressed by one approval of each Board.

3.3.4 Permits and Approvals to be Obtained by the Project/Permits and Approvals to be Obtained by the Contractor

Another strategy for keeping the project on schedule, is to have the Project Permit Team be responsible for obtaining the majority of construction permits and approvals that require complex long-term agency discussions and often have lengthy appeal processes. Permits the project will obtain are listed in Table 2. WSDOT will be the applicant. It is assumed that these permits will be in hand and appeal periods concluded, when the contractor is ready to begin construction. In addition, it is permit conditions will be included in contractor bid documents and specifications.

Construction permits are further separated into two groups: permits to be obtained by the project and those to be obtained by the contractor. Some permits typically obtained by contractors, such as grading permits, with lengthy, multiple appeal periods, are proposed to be obtained by the project. The concept is to ensure that permits, and proposed mitigation measures are obtained in time to include in contract bid documents. Waiting to allow the contractor to start the process to obtain these permits has high potential to delay the project schedule

1

2

The contractors will be responsible for obtaining the limited number of permits currently identified in Table 2. This may change as the project moves forward and project staging and scheduling advances. In addition, the Project Permit Team will work to develop streamlined application processes for contractors in setting up permitting processes with the Permit Forum. It is anticipated that the project permit team will remain closely involved with contractor permitting activities to assure that, for permits with specific environmental conditions, the permit conditions are consistent with permits previously issued to the project. This involvement with contractor activities will also help assure that the contractor is applying for permits as necessary and will assist the team in ensuring contractor compliance with permit conditions.

The construction contract(s) will specify additional permitting requirements for the contractors to complete and, once a contractor is on board, they will be responsible to complete construction-based permits. This will require coordination and development of a communication plan. The Project Permit Team will work closely with the Compliance Team, which is leading the development of this plan.

This communication plan should include, but not be limited to expectations concerning:

- coordination meetings to confirm contract environmental requirements and progress;
- nature and timing of written correspondence;
- points of contact;
- forwarding of permits obtained by Contractor to the Project Permit Team;
- filing of permit documentation;
- any special protocols by which contractors will obtain permits from the city; and
- protocol for contractor self-reporting of potential permit violations.

It is anticipated that at least some contractor permits may be obtained in batches. It may not always be possible to batch permit applications, simply due to the nature and timing of construction and the potential for different contractors to provide different pieces of project work. For the permits that the contractor will obtain, it will be their responsibility to identify the most logical construction timing sequence and need for permits for specific pieces of work, and batching simply may not be an option. In those cases, the contractor would apply for individual permits. However, the use of dedicated staff along with development agreements to be proposed to the City to streamline permitting should help provide for expedited application review.

.

4.0 Developing Permit Conditions

Permit conditions will be developed by each regulatory agency. The Project Permit Team will provide the Permit Forum with relevant information for incorporation into permits. The Project Permit Team will work proactively to ensure coordination with design work and NEPA/SEPA environmental work to help assure project impacts are addressed and that conditions are incorporated into design plans as early as possible.

4.1 Incorporating NEPA/SEPA Commitments and Mitigation Plans into Permits

The Project Permit Team will serve as a resource to the Permit Forum in bringing t environmental commitments and mitigation measures developed during the EIS process to Permit Forum meetings so that they can be incorporated by the regulatory staff of the Forum into permits and approvals. The Environmental Compliance Team and NEPA/SEPA leads will also participate in this permit development effort.

4.2 Incorporating Standard Permit Conditions

Many permit conditions are standard conditions and commonly based on known and accepted construction Best Management Practices (BMPs). For example, many permit authorities recognize and require Ecology's *Stormwater Management Manual for Western Washington* BMPs for managing erosion and stormwater runoff during construction to be incorporated into project design. The City of Seattle has a similar set of design guidelines, *City of Seattle Standard Specifications for Road, Bridge, and Municipal Construction, Stormwater, Grading and Drainage Control* and other standards in place that the project is anticipated to follow.

The Permit Forum will identify those types of conditions as well as any opportunities to revise them for use on the project. This effort would be conducted to assist in meeting regulatory requirements and goals for the project in the most effective way possible. The Permit and Environmental Compliance Teams will assist the Permit Forum on this task.

4.3 Developing Performance Standards

Typical BMPs may not always be appropriate for the proposed construction methods, and there will be some construction methods which will be left up to the contractor to identify. For these types of situations, the project environmental and permitting needs would be best served by employing performance standards rather than typical BMPs.

Use of broader performance standards rather than specific language in permit conditions is now widely accepted in the permitting of construction projects.

Performance standards provide specific outcomes which the project must attain to be in compliance with permits. For example, instead of specifying that straw bale BMPs be used to slow down water and filter out sediment, a performance standard would instead specify that appropriate BMPs be used to minimize runoff velocities and retain sediment on the site.

The use of performance standards has proven to be effective when properly managed. Performance standards also ensure that the contractor retains responsibility to design and implement BMPs that work rather than simply relying on pre-determined BMPs. Some permitting agencies have extensive experience relying on performance standards in addition to typical BMPs. It would be necessary to introduce the topic and discuss it in some detail for agencies that have not previously used that method.

The Project Permit Team will work with the permitting agencies, some of whom may be future asset owners, to promote the use of performance standards where appropriate. The Project Permit Team may also consider involving the permitting agencies in development of the environmental portion of the construction contract. This will promote project understanding among the permitting agencies and assist in developing trust among the personnel involved.

5.0 Permitting Through the Life of the Project

5.1 Change Management System

Because of the long time frames and the complex nature of the project, it is necessary to create a process for managing change. It is vital to have a plan in place with the design team and permitting authorities so that changes made during the permit process do not unduly delay permit approval. In addition, it is important to have a process for managing change during construction. A change management plan will be developed by the Porject Permit Team to account for changes in project design, regulations, and project conditions. The change management plan will be based on WSDOT's Environmental Compliance Assurance Procedure (available from WSDOT or on-line at www.wsdot.wa.gov/fasc/EngineeringPublications/Manuals/EPM/EPM.htm) and will include, but not be limited to:

- Design-freeze (This concept gives design a goal date by which to incorporate as many of the project elements as possible in order to avoid permit modifications or changes during the application process, and avoids daily changes during the application process. If changes do occur, it gives design a second design-freeze date by which to incorporate changes comprehensively.);
- Use of a communication plan to guide interactions among all members of the Project Permit team to assure information on project changes is conveyed as early as possible and to all of the correct parties;
- Forms for recording design changes that affect a permit application;
- Forms for recording construction changes that affect the permitted description of the work under a particular permit;
- Procedures and responsibilities for permit revisions or new permits that the contractor must obtain in the event of field changes or permit violations; and
- Use of the project's commitment database with its attendant tracking of responsibilities by the Environmental Compliance Team.

5.2 Permit Renewals

Most permits for this project have a regulatory time frame with expiration, while some do not. Potential strategies with regard to permit time frames have received a preliminary review by the Project Permit Team and are being more fully investigated. One strategy is to identify permits that could be issued with longer than typical time frames and the Permit Team will work with the Permit Forum to confirm the validity of that concept. A second strategy is to evaluate vesting regulations to determine how best to assure that all phases of the project, which will be under construction

for many years, can be assured to be constructed as planned and conditioned. The Permit Team will fully develop these strategies in coordination with the Permit Forum. Use of dedicated staff working on the project (both on the Project Permit Team and the Permit Forum) will help identify and implement consistent and effective permitting strategies in this regard over the life of the project.

6.0 Tracking Permit and Mitigation Commitments

NEPA/SEPA legislation and implementing regulations require implementation and monitoring of mitigation measures to reduce or eliminate adverse environmental impacts associated with a planned action[1]. WSDOT must ensure that commitments made during Design and Environmental Review are clearly recorded and tracked for incorporation in design, permitting, and/or PS&E, and subsequent implementation (where agreed to or required) in construction and maintenance. As final NEPA/SEPA documents are completed, commitments made during Design and Environmental Review will be incorporated into a Commitment File and logged in the Commitment Tracking System by the Project Compliance Team. The Commitment File will consist of proposed mitigating measures, commitments made to resource agencies or other agencies with permitting authority, and any other environmental or design commitments made on behalf of the project. In addition, WSDOT must communicate with resource agencies, that these commitments are being met. The project will follow procedures in WSDOT's *Environmental Procedures Manual (*available from WSDOT or on-line at www.wsdot.wa.gov) Sections 490, 590, and 620 for tracking permit and mitigation commitments. In addition, the project will employ the follow strategies:

- Development of a compliance communication plan and staff coordination;
- commitment tracking database;
- Iincorporation of environmental and permit mitigation commitments into project specifications and contract documents; and
- Coordination and support of permit timing and design.

Implementation of these strategies is the responsibility of the Environmental Compliance Team. The Project Permit Team will provide assistance in the development and review of these procedures.

6.1 2Mitigation and Permit Conditions/Commitments

Mitigation measures (approved by the lead and other regulatory agencies) developed during the NEPA/SEPA process and applicable permit conditions will be incorprated into contractor specifications and contract packages for implementation and compliance under established project guidelines and protocols following guidance in the WSDOT *Construction Manual*, Section CM 1-2.2A. The contract special provisions sections will then become conditions of contractor performance. Under construction contract terms, the contractor will be responsible for complying with all federal, state, and local rules, regulations, and permit conditions related to environmental protection and worker health and safety. During construction, the Project Engineer is responsible for the enforcement of the contract specifications and

[1] (For statutory guidance, see: 42 USC 4371 *et seq.*, Presidential Order 11514, 23 CFR 771.109(6), 40 CFR 1505.2(C), 1505.3, RCW 43.21C, and WAC 197-11-660.)

provisions and the completion of all work according to the plans. The Project Engineer communicates primarily with the Porject Compliance and Mitigation Team regarding implementation of contractor mitigation measures.

Prior to this, the Porject Permit Team will have worked with the agencies to obtain permits and will be the best source of information on any potential subtleties of those approvals. The Environmental Compliance Team will be primarily responsible to translate that permit information into contract plans and specifications. The Project Permit Team's continued involvement in that process of translation will help assure accurate incorporation of that information into the construction bid documents and contracts where appropriate. This activity will also require close coordination with the NEPA/SEPA team lead as well as applicable members of the Integrated Project Team and Permit Forum (i.e. SPU regarding impacts to City facilities).

Once permits are received, the Project Permit Team will make certain they are forwarded to the Environmental Compliance Team in a timely manner. The Project Compliance Team will be responsible to enter permit requirements to the tracking database that will be developed and to further assure permit compliance as construction proceeds.

Commitments contained in policy guidance and interagency agreements will also be included in construction contract documents as applicable for implementation by the contractor. Environmental aspects of these documents will be included in the contractor documents and tracked by the Environmental Compliance Team Lead.

6.2 Commitment File

Commitments developed above and incorporated into contract documents and specifications will be incorporated into a commitment file – which is a system used by WSDOT to record, track, and manage how permit and environmental commitments are implemented. One goal for such a process is to improve awareness of environmental requirements by staff and contractors working in the field. Another goal is to identify potential construction problems or issues and resolve them so that they do not create a violation of any type or affect the project's ability to comply with permits or adhere to SEPA/NEPA commitments.

Information to be tracked is entered to the file (essentially a database), which will be developed based on protocols established by WSDOT's Environmental Procedures Manual. The file will be maintained for the duration of the project by the Environmental Compliance Team Lead.

The file will track any specific commitments made to permitting/resource agencies and will document individual WSDOT and contractor responsibilities. The file will note who is responsible for each commitment and will track progress of items. The

file will also document problems encountered in implementing commitments and the solutions determined appropriate for each issue. Use of a file such as this allows for prompt and consistent notification to agencies when work on mitigation or permit conditions are completed, when formal reporting is due to the agency, or if problems should arise requiring that agency's attention. The Environmental Compliance Team Lead will work with the Integrated Project Team in tracking and confirming status of commitments and methods employed to resolve any problems that may occur in implementation.

7.0 Risk Management System

7.1 Permitting Risks Currently Identified

Table 3 shows the activities and issues that have been evaluated and considered to pose risks to successful permitting of the project, along with methods to address those risks. This section includes the issues identified by the Expert Review Panel analysis of the project, completed in September of 2006. The information in this section should serve as a basis for on-going discussions by stakeholders to identify any further risks and appropriate risk management tools as the project proceeds.

1 **Table 3 - Project Permitting Risks**

Risk	Method to Address	Status
Permit applications are not submitted on time or do not meet agency requirements	Assure team includes adequate numbers of trained staff to prepare applications and coordinate with agency staff	Significant progress made to ensure teams, staffing, and procedures are in place
	Assure project team coordination procedures are in place to obtain design information when needed	Communication and coordination protocols are being developed
	QA/QC process to assure permit applications are complete	Overall QA/QC measures for permit applications are being developed and will follow the general EIS QA/QC protocol for QA/QC of the EIS
	Create or confirm design milestone and documentation needed for permit application submittals	In progress; working with design teams to discuss and clarify application submittals and information to be needed from design teams
	Assure coordination processes are in place including involvement of appropriate City departments, pre-submittal meetings, and other meetings such as Permit Forum meetings to confirm how rules will be applied	Permit Forum will address this when established.
Design is not advanced enough to meet standard permit conditions	Work with regulatory staff to approve the use of and develop performance standards and assure permit conditions are feasible and implementable	Regulatory agencies to develop performance standards through facilitation of the Permit Forum
Permits are not issued at anticipated time	Provide for dedicated regulatory agency staffing and agency senior management involvement	Some staffing agreements are in place; others are being developed
	Have interagency agreements in place to streamline permitting, consolidate reviews, resolve disputes, etc	Discussions are being held with the City of Seattle and other regulatory agencies Agreements need to be developed This has not been addressed to date
	Project Permit Team to work with design team and construction management team to address schedule questions and work that could be phased to occur without or prior to issuance of permits	Formal discussions not yet initiated. Formal discussions not yet initiated.

	Use draft permit conditions from the agencies in construction contact documents as a basis for bid	
Legal challenges prevent issuance and implementation of permits	Develop contingent schedule in the event of potential appeals or legal action Pursue legislative changes with City of Seattle to streamline permitting Pursue methods to allow legal challenges of this project to be expedited	Identify work or portions of work that could proceed during a single or multiple legal challenge(s) City changes in progress. Not addressed yet
Construction errors cause a violation of a permit	Institute strong performance requirements and enforcement ability in the construction contract	Environmental Compliance Team to work with construction staff on language

1

Risk	Method to Address	Status
	Continued	
Permits expire before work can be completed	Development of permitting agreements with agencies specify procedures for permit renewals or modifications Use of Permit Forum process to facilitate extension processes Permit Forum can assist in prioritizing work phases to maximize permit time Consider whether legislative changes are possible to extend dates	Project Permit Team is in place to work with agencies and determine best process to address Work with the RALF team to establish a Permit Forum in early 2007 Effort not yet under way.
EIS process is not completed on current schedule delaying issuance of permits	Complete permit applications in parallel to the development of the EIS Work with regulatory agencies via the Permit Forum to review and provide feedback on permit applications prior to the completion of the EIS	Establish a multi-agency team of permit writers (the Permit Forum) to provide early and ongoing pre-application review
Work is stopped during construction due to unanticipated environmental conditions (unanticipated archeological resources, wet conditions, construction stormwater management problems, or contamination) or non-environmental issues such as material or labor shortages	Environmental Compliance Team to develop agency coordination and contractor procedures and process to address Project Permit Team to work with Environmental Compliance Team to develop a plan for actions that can continue during a work stoppage	Environmental Compliance Team is being assembled and will address Project Permit Team to work with compliance, design and scheduling staff to identify these measures
Project design changes during construction, putting the project out of regulatory compliance (i.e. permits need modification or no longer apply)	Develop and implement change management plan to address Assure contract includes appropriate language on contractor responsibilities and liabilities regarding delays and related costs in contractor-initiated changes that are not covered by project obtained permits or that require modification to those permits	Project Permit Team developing the plan Environmental Compliance Team to work with construction staff on language

7.2 Quality Assurance/Quality Control Plan

The Permit Team will draft a written QA/QC Plan for permitting that will provide for an independent level of quality assurance through management, product reviews, and audits to assure that the project's overall requirements for quality control are being met. QA/QC processes will be used to minimize risks associated with incomplete or inaccurate permit applications. This section discusses those plan elements, which will be consistent with the quality process used for development of the project EIS.

7.2.1 Quality Assurance/Quality Control for the Permitting Process

All permit applications and support materials developed for the project will go through a QA/QC process. This process will be consistent with those established in the Project Management Manual. The purpose of the process is to help ensure that application materials are complete and to reduce the number of potential requests for additional information from regulatory agencies. In addition to evaluation of document adequacy, the procedures for permitting coordination and application development will be regularly 'audited' by the Project Permit Team to confirm their adequacy and ease of implementation. As a final QC check, the overall effectiveness of the QA/QC procedures will be revisited by the Project Permit Team on a regular basis to ensure they are working as intended. The QA/QC Plan may be amended as needed and will include but not necessarily be limited to the following components: 1) clarification of roles and responsibilities; 2)staff training on QA procedures; 3) quality audits; 4) document control and filing; 5) internal checks and peer reviews; 6) process evaluations; and 7) lessons learned. A QA/QC Manager will be identified to assure compliance with the Plan for the permit process.

7.2.1.1 Permit Document Quality Assurance/Quality Control

All permit application materials will receive at least two rounds of evaluation. The initial draft will be prepared by staff of the Permit Team and will receive technical review by other members of the discipline involved. Upon completion of that review, the document will receive a technical edit. After that review, and after any required changes have been made to the permit document, a second draft will be prepared and submitted to the IPT for interdisciplinary review, where it will be evaluated by staff chosen based on their involvement with the project and area of expertise. This QA/QC team can vary by type of permit document. This team will use a checklist to be developed by the Permit Team to provide comments on this second draft. Once any revisions are made, a final draft package will be prepared, reviewed, and approved by the Permit Team Lead. The Environmental Manager will have final review and approval authority. At this point, the application materials will be ready for submittal to the regulatory agencies via the Permit Forum or other method determined by the PF team's charter.

7.2.1.2 QA/QC Checklists for Permit Deliverables

QA/QC checklist(s) will be developed by the Project Permit Team for use by members of the Team and regulatory agencies of the Permit Forum. The checklists will most likely be based on existing checklists used by the WSDOT MAP team and the regulatory agencies and will address timing for submittal information as well as completeness of application packets. The checklists will be used prior to and concurrently with development of the application materials being discussed with the Permit Forum, in order to assure that the applications contain all necessary materials. The checklists will address specific permit deliverables and will identify the persons preparing the materials as well as those reviewing. The checklists will generally include, but not be limited to, the following information:

- confirmation that all items are included as required by the agency(ies);
- review of written materials for adequacy, accuracy, and consistency with other project documents – with space to document problems, and proposed recommendations or requested changes;
- verification of calculations;
- review of CADD, GIS, and any other drawings and graphics to assure that they meet format and content requirements;
- confirmation that the materials appropriately address requisite SEPA/NEPA mitigation measures; and
- completion of formatting and spell checking.

The checklists will include space for signatures by all parties and will document the QA/QC process for permit applications. The checklists will be included as part of the documentation files for the project.

7.2.2 Regular Review of Procedural Quality Assurance/Quality Control

Senior staff on the Project Permit Team will conduct QA/QC control reviews to verify that procedures are working as anticipated and desired. Some elements that will be checked during the QA/QC process reviews include: staff qualifications and staffing levels; completeness and organization of permit-related project files; thoroughness of application development; and effectiveness of agency coordination including conflict resolution measures.

The actions that constitute QA/QC measures for environmental compliance during construction are briefly addressed in Section 4.0 of this document. Construction management practices will follow WSDOT standard protocols for quality control.

8.0 Permit Close Out

Permit close out involves coordination with permit authorities, documentation of inspection and monitoring results, and file maintenance. It is anticipated that the Project Permit Team's coordination of close-out activities with the regulatory agencies will occur via the Permit Forum process. Members of the Environmental Compliance Team will be involved in final inspection of contractor compliance activity completion and closeout actions in order to assure environmental issues have been resolved. Members of the Permit Forum may also participate in final inspections or perform separate inspections, the results of which will be communicated to the Environmental Compliance and Permit Teams for evaluation and resolution.

Compliance reports must be filled out after project completion. Typically, these are compiled annually by WSDOT Regional Environmental Offices and submitted to Maintenance and Operations staff at headquarters. Permit close out procedures will be developed by the Project Permit Team for this project using WSDOT procedures and guidance . Permit close out will also closely follow procedures of each permitting agency.

Construction work on contracts financed in whole or in part with federal funds are subject to final inspection and final acceptance by the applicable federal agency. This inspection and acceptance will need to be coordinated with City of Seattle's requirements in that regard for City facilities. Project type and size determine whether FHWA, the WSDOT Headquarters Construction Office, or Regional Office will conduct the final inspection. Final inspections are performed on all federally aided projects any time after 90 percent completion and no later than 30 days after physical completion. Final acceptance reports will be completed on the AWVSRP and will be completed by the construction project engineer as soon as all project requirements have been met.

Where any life-of-the-project permit conditions have been applied by the City, the Environmental Compliance team will work with the IPT and the City to confirm how to close out the permit including how on-going compliance with any applicable permit conditions will be monitored. Additional and specific agreements may need to be reached between WSDOT and the City to address this issue.

8.1 Mitigation Monitoring

Monitoring of environmental mitigation measures required for the project by permit conditions will possibly continue after the permits themselves have expired. The Environmental Compliance Team will develop monitoring procedures based on procedures in WSDOT's Environmental Procedures Manual. . The Environmental Compliance Team will continue working with the Project Permit Team and

members of the Permit Forum after construction is completed to finalize mitigation monitoring and reporting. The Environmental Manager will provide notification of completion of monitoring to the resource agency. Notification of completion of monitoring will be provided to , Seattle City Light, Seattle Public Utilities and Seattle Department of Transportation for issues which impact these City departments,

8.2 As-built Drawings

Submittal of as-built drawings to the City is anticipated to be a condition of permits issued. Permit related or not, this transfer of information will need to occur in a timely manner since it has specific implications for on-going maintenance and development activities around the City. Development of the AWVSRP will involve revisions to sewer and other underground utility systems. This data transfer process is anticipated to include checklists and an as-built plan tracking system to ensure transfer of as-builts and its implementation will be included as part of the project's close-out procedures. The Project Permit Team will coordinate with the IPT as needed to develop a process for tracking transfer of as-built drawings to the City.

9.0 Formal Agency Coordination

9.1 Communication Protocol

9.1.1 Project Permit Team Internal Communications

Internal Project Permit Team coordination is an on-going process and it is anticipated that one major channel of communication for the members of this team will be attendance at regularly-occurring Permit Strategy Team Meetings and IPT meetings. The Permit Strategy Team meetings will continue to be held to discuss permitting issues and project developments, and to identify risks and opportunities affecting the permit process (note that the future role of the Permit Strategy Team itself remains to be determined). The agendas for these meeting are prepared by the Permit Team. The IPT meetings are held weekly and include project management members of WSDOT, FHWA, City of Seattle, GEC and PMAC. These meetings are used to update the status of ongoing project issues as well as provide a forum for new business.

All internal communications will be directed through the Permit Team Manager or her designated alternate. It is anticipated that communications will occur in both formal and informal processes. The Permit Team Manager will track project progress.

Project Permit Team members will need to keep the Permit Team Manager informed regarding work progress, status of deliverables, project issues, work schedule changes, and other relevant information. Members will report to the Permit Team Manager if circumstances arise that interfere with their ability to complete their work.

9.1.2 Project Permit Team Interface with Regulatory Agencies

It is critical to the success of the project to facilitate regular and successful interactions with agency regulatory staff who will be reviewing project permit applications. One of the main strategies to promote ongoing communication and agency involvement is the establishment of the Permit Forum. This group is an outgrowth of an existing regulatory group, the Resource Agency Leadership Forum (RALF) group[1]. RALF was established in 2001 to meet the project need to

[1] All transportation projects receiving Federal Highway Administration (FHWA) funding that require an EIS and a USACE individual permit are required to enter into a Signatory Agency Committee (SAC) agreement. The SAC process was designed to improve coordination and integration of NEPA and Clean Water Act procedures. Signatory agencies to the agreement are: FHWA, USACE, USFWS, NOAA, Fisheries, EPA, Ecology, DNR, WDFW and WSDOT. RALF

coordinate NEPA/SEPA review and USACE permitting requirements. During early RALF meetings, the group recommended the establishment of a separate group of regulatory staff to address permitting issues and facilitate the permitting process. The Permit Forum is being established to meet these goals.

Future coordination methods for the Permit Forum will include regularly-scheduled meetings (at a frequency to be determined) where the project will provide presentations and other materials to give the agencies an idea of the level of effort they may wish to use on permitting of the project. The project will also provide for a single point of contact for agencies to call with questions. It is anticipated that the Permit Forum will stay in place through construction.

A second strategy of the team approach is to prepare a project activity report that describes the activities involved with each permit application, the design effort that will supply information to complete permit applications, and recent project activities and developments. This report will help to keep permit review staff briefed and up to speed on the project, as well as to document permit activities. Tracking the permit activities may also reveal ways to further streamline the permitting effort.

9.2 Documentation

9.2.1 Documentation of Interactions Among Project Permit Team Members

The Project Permit Team will document all formal communications with permitting authorities. The communications files will be maintained in the AWVSRP office by the Project Permit Team and will include the following items:

- Permit agency meeting minutes;
- Project Change forms;
- Permit Forum session minutes;
- Agency Correspondence – letters, e-mails, record of communications, including permits and letters of approval or notices of violation

functions as the SAC for the AWVSWR Project. The SAC process can be found on the WSDOT or Ecology websites.

Documentation procedures will be conducted in concert with the overall document control procedures established by Parsons Brinckerhoff for the project.

9.2.2 Critical Decisions/Agreements/Reasons Decisions Were Made

It is important to have a record of both what decisions were made and why they were made in regard to the project permitting effort. This information may be critical for project appeals or litigation where it may be necessary to demonstrate why certain decisions were made that affected project design, construction means and methods, compliance with permit conditions, and implementation of mitigation measures. Recording these decisions is also important to enable the team to learn what worked and what didn't, so these lessons can be applied to further permits for the project or to future projects. The Project Permit Team will be responsible for preparing a quarterly report that describes these decisions. City of Seattle and WSDOT Legal staff may be involved in developing the final protocol for this effort.

9.3 Agreements

9.3.1 Agreements to Streamline Permitting

It is anticipated that existing agreements among WSDOT and the Army Corps of Engineers, ,DNR, Ecology, and WDFW will be used to assure adequate federal and state agency staffing for permitting of this project. Existing agreements between the City and the Services (NMFS and USFWS) will be used to assure adequate federal agency staffing for permitting and endangered species act consultation associated with this project. .

Agreements for permit streamlining are being pursued among WSDOT and the City of Seattle for this project. Examples of this type of agreement are the ones that the City entered into with Sound Transit and the Seattle Monorail Authority. These agreements specified the process and procedures to be used for streamlining the City's permit review. They also provided certainty in processing permits in a timely fashion by identifying roles and responsibilities for the staff dedicated to work on these permits (both at the City and the transit agencies) as well as the general process of permit review.

Agreements entered into with the City for the AWVSRP will need to include but not be limited to:

- Staffing levels and availability including specific roles, responsibilities, and expectations, as well as management of those staff;
- Funding for the appropriate staffing;
- Definition of permit processes and timelines (such as batching processes for application submitted by the Project Permit Team and contractors, specific intake procedures, and review time);

- Dispute resolution procedures; and
- Processing and coordination of potential appeals.

Additional agreements are also being pursued by the City to address the potential for one City department to take the lead in issuing certain permits in coordination with other city regulatory departments.

10.0 Schedule

Permitting timelines have been integrated into the overall project schedule and need to be updated on an on-going basis. This step is particularly important because it gives all staff working on the project a common understanding and expectation for how long the permit process will take. The intent is to assure that permitting activities do not fall behind the anticipated schedule and that permitting efforts contribute to maintaining the project's overall schedule. The permit schedule shows all logic, including design milestones of plans supporting permit applications, in order to be certain the design is tracking with the anticipated permit timelines. The Project Permit Team will continue to work with all other disciplines and staff of the IPT to assure that information on status of environmental processes is accurately incorporated to the project schedule and that design schedules accurately reflect that status.

The Project Permit Team will be responsible for identifying potential problems and opportunities associated with permitting as the project continues through design and into construction. This activity will also be employed to develop plans to avoid problems where they arise and contingency plans for those that cannot be avoided. The implementation plans to be developed for project permitting will include detailed work breakdown structures to identify staff responsible for these activities.

Schedule information developed for managing the project will also be shared with the Permit Forum to keep them apprised of project progress as well as the role of environmental permitting in the project timeline.

11.0 Summary and Conclusions

In order to complete design and construction of the AWVSRP on the schedule currently proposed, the project will need to employ streamlined and, perhaps, non-traditional permitting measures and efforts. The authors used existing WSDOT and City environmental permitting procedures and guidelines as a baseline in evaluating permit streamlining strategies for the AWVSRP. The permitting processes and agreements that were developed for other complex projects, such as the Sound Transit Light Rail project and the Monorail project, were also evaluated as well as the recommendations made by the Expert Review Panel, a group that evaluated the project's schedule and procedures in 2006 and the JLARC report, a study of permitting issues by the Joint Legislative Audit and Review Committee in 2005.

This document provides a discussion of project permitting strategies, including discussion of further work plans needed for strategy implementation. Each section of the document discusses existing and proposed measures, and the following general strategies have been identified for permitting of this project:

<u>Use of interagency agreements to provide dedicated agency staff</u>

- To achieve early and on-going project technical input, guidance, and application review
- To provide for a formal agency coordination group to jointly guide permitting efforts using a process similar t the MAP team
- To assure timely transfer of information regarding impacts, regulatory requirements, and schedule information among the agencies and the design team
- To include use of existing coordination procedures as a baseline
- To work with agencies to confirm processes needed to extend permits when they expire
- To work closely with regulatory agencies who will be developing permit conditions to assure conditions can be met for the project
- To include specification of internal team and agency coordination measures in assuring successful working relationships

<u>Managing timing in submittal of permit applications</u>

- To confirm all permitting needs as soon as possible
- To apply for permits with long lead times for issuance as soon as possible
- By confirming permit linkages and scheduling of application development and submittals relative to design and SEPA/NEPA
- To coordinate with the design team to assure information is available when needed for permit applications

- To include batching of the same types of applications, use of master agreements to establish special processes for issuance of overall permits with subsequent approvals
- To coordinate with contractors to assure they use permit processes that have been established for them and that their permits are consistent with ones obtained by the project

Creative and interactive management of permit processes and timeline

- To use special agreements to address permitting needs, processes, and opportunities and specifically to use previously-developed coordination processes where possible (e.g., Sound Transit agreements)
- To evaluate the project schedule to confirm where there is inadequate time to obtain permits using standard processes while keeping the project on schedule and where an activity particularly suited to use of other than standard permitting practices may be needed to achieve the project schedule
- To work with agencies on use of less traditional permitting procedures, particularly use of batching of permit applications and use of performance standards rather than specific project conditions to speed permitting and establish maximum flexibility for the contractor(s)
- To proactively review standard permit conditions and draft permit conditions where needed and possible with agencies and get that information into design as early as possible
- To obtain project-wide permits as soon as possible to provide a degree of design assurance and start any appeals as soon as possible
- To manage permit intake and processing methods and steps

Close coordination of permitting staff with construction and compliance processes

- To use specialized and dedicated staff (Environmental Compliance Team Lead and Permit Team staff) and formal and informal processes to interact with contractors and the construction management team during project planning and construction
- To assure a field presence of environmental staff (primarily by way of the Environmental Compliance Team) during construction
- To assure review of contract specifications by staff who worked on permit applications to make sure permit conditions are properly included and stated
- To coordinate with construction and design staff and provide feedback to agencies on project construction methods as well as to assure that environmental commitments are carried forward into construction via construction coordination and inspections
- To use all standard construction and permit coordination processes that WSDOT usually employs for project implementation where feasible

- To employ careful use of contract documents to accurately convey environmental issues and to control contractor activities related to permits

Use of quality control and assurance measures to enable effective permitting processes and adequate documentation

- To use processes consistent with others used for the entire project.
- To evaluate document adequacy as well as process effectiveness

Documenting permit process and decision-making

- To create a clear record in the event of subsequent questions or challenges
- To assure that project close-out is performed adequately
- To use a formal commitment file to track and document environmental processes and issues and to record agency decisions made during the review process

Coordination with permitting agencies through project closeout

- To use dedicated specific staff (Environmental Compliance Team) to assure coordination and closure of environmental issues

Use of change management systems

- To anticipate and address project scope or other changes including developing contingency and communication plans and design freeze concepts
- To assure project schedules are updated regularly
- To effectively coordinate environmental and construction processes
- To document when and why changes are made and contingent actions determined appropriate

Use of risk management processes

- To preliminarily and continuously identify risk and develop avoidance or contingency measures

It is anticipated that the coordination group of regulatory agencies (the Permit Forum) will validate and assist in finalizing a number of the strategies. A number of work plans to achieve the strategies have been identified and will need to be developed. Those work plans along with current and proposed coordination activities will be employed for the project to implement the strategies proposed by this document.

Appendix A

Permit Responsibility Matrix

Appendix B

Project Permit Team Membership

Figure C-1 shows the currently-proposed AWVSRP Project Permit Team organization. Kate Stenberg is the overall Environmental Manager for the AWVSRP. Her role is oversight of the entire environmental compliance process (NEPA and SEPA processes and permitting). Sandy Gurkewitz is the Project Permit Team Lead and has responsibility for leading and coordinating the Project Permit Team and acquisition of permits and approvals through the life of the project.

Figure C-1 Current Team Organizational Structure