

SmartZone Communications Center Collaboration Suite

campbell.beth@comcast.net

RE: 20091109-Green-Gale.pdf - Adobe Acrobat Standard

Thursday, May 20, 2010 4:12:12 PM

From: Charice.Pennie@seattle.gov
To: campbell.beth@comcast.net
Cc: Nancy.Craver@seattle.gov
Attachments: image001.jpg (2.3KB)
100181.pdf (537.5KB)

Ms. Campbell,

The permit you have requested, **100181** has not been issued. When WSDOT's Street Use Permit application (dated October 28, 2009 for their proposed SR 99 Bored Tunnel Design-Build Project was entered into the City's Street Use Permit computer system on November 9, 2009, it was assigned that permit number. The permit number is just a placeholder in the system and the permit itself has not been issued. According to staff this permit is scheduled to be issued at the end of May next week, along with all supporting documentation.

Attached is application information directly from the database.



CHARICE PENNIE

Public Disclosure Coordinator

Seattle Department of Transportation

700 Fifth Avenue, Suite 3900

PO Box 34996

Seattle, WA 98124-4996

charice.pennie@seattle.gov

206-470-6777 Fax

From: Craver, Nancy
Sent: Monday, May 17, 2010 9:11 AM
To: Pennie, Charice
Subject: FW: 20091109-Green-Gale.pdf - Adobe Acrobat Standard

From: Elizabeth Campbell [mailto:campbell.beth@comcast.net]
Sent: Sunday, May 16, 2010 11:35 PM
To: Craver, Nancy
Subject: 20091109-Green-Gale.pdf - Adobe Acrobat Standard

Please add this SDOT permit to the permit files that I am requesting to review.

Thank you,

Elizabeth Campbell

License # 100181

Fees

Total Paid

0.00

Expires

Primary Applicant INDV ALLISON HANSON
999 THIRD AVE SUITE 2424
SEATTLE WA 98104
USA

Authorized Signature

Report Date 05/20/2010 10:43 AM

Submitted By

Page 1

License # 100181

Application Information

Stages

	Date / Time	By
Processed		
Issued		
Expires		
Grace Exp		

Associated Information

Priority			
<input type="checkbox"/> Inactive			
# Plans	0	Category Type	UTIL UTILITY PERMIT
# Pages	0	Bill Group	SC-BIL
<input checked="" type="checkbox"/> Auto Reviews		Name	SR99 BORED TUNNEL - TS4585A

Comments

SR 99 BORED TUNNEL DESIGN-BUILD PROJECT - DESIGN AND CONSTRUCTION OF A LARGE-DIAM BORED TUNNEL WITH AN APPROX DIAM OF 55', LENGTH OF 2 MILES. ASSOC WORK AT THE NORTH AND SOUTH PORTALS TO MAKE AREAS READY FOR TUNNEL WORK. DESIGN, FABRICATION, INSTALLATION, AND COMPLETE COMMISSIONING OF TUNNEL VENTILATION, COMMUNICATION, LIGHTING, SIGNALING, LOW VOLTAGE UTILITIES AND FIRE/LIFE SAFETY SYSTEMS THAT EXTEND BYOND THE LIMITS OF THE TUNNEL THROUGH THE NORTH AND SOUTH CUT-AND-COVER AREAS.

Project #	Project/Phase Name Size/Area	Phase # Size Description
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Renewals

Renewal Date Renewed By

There are no Renewals Associated with this Record.

Property/Site Information

Address 801 1ST AVE S
SEATTLE WA 98134-

Location SR 99 BORED TUNNEL DESIGN-BUILD PROJECT - DESIGN AND CONSTRUCTION OF A LARGE-DIAM BORED TUNNEL WITH AN APPROX DIAM OF 55', LENGTH OF 2 MILES. ASSOC WORK AT THE NORTH AND SOUTH PORTALS TO MAKE AREAS READY FOR TUNNEL WORK. DESIGN, FABRICATION, INSTALLATION

Owner/Tenant

There are no contacts for this site

A/P Linked Addresses

No Addresses are linked to this Application

Linked Addresses

No Addresses are linked to this Application

A/P Addresses

No Other Addresses are associated to this Application

Linked Parcels

No Parcels are linked to this Application

A/P Linked Parcels

No Parcels are linked to this Application

Applicants/Contacts

Report Date 05/20/2010 10:43 AM

Submitted By

Page 2

Applicants/Contacts

Primary N **Capacity** OTHER **Other** 24HRCNT **Contact ID** AC27087 **Foreign**
Effective
Name INDV ADAM GALE
Day Phone (206)267-6884 x **Eve Phone** **Organization** WSDOT
Pager **PIN #**
Fax **Mobile** (206)903-3376 **Position**
E-Mail **Profession** INDV
Address 999 THIRD AVE
SUITE 2424
SEATTLE, WA 98104

Comments

Contact Cust Info x

Meter Hooding **Concrete Trucks**
 Billable Company Billable Company

BILL TO PARTY

Attention To

A/R Bill to Party ID

Party Type

No Comments

Primary Y **Capacity** OTHER **Other** PROJMgr **Contact ID** AC21151 **Foreign**
Effective
Name INDV ALLISON HANSON
Day Phone (206)716-1136 x **Eve Phone** **Organization** WSDOT
Pager **PIN #**
Fax **Mobile** (206)716-1136 **Position**
E-Mail **Profession** INDV
Address 999 THIRD AVE SUITE 2424
SEATTLE, WA 98104 USA

Comments

Contact Cust Info x

Meter Hooding **Concrete Trucks**
 Billable Company Billable Company

BILL TO PARTY

Attention To Kathy Fendt

A/R Bill to Party ID trn00021

Party Type OTHER

No Comments

From: Gale, Adam (Consultant)
Sent: Monday, November 09, 2009 10:18 AM
To: Page, Heather (Consultant)
Subject: FW: Bored Tunnel SUP
Heather,
Bored Tunnel project SUP #: 100181.
I'll incorporate this into the permit handbook and the next submittal of the RFP.

Talked with Sandy G. re: SUP conditions. They'll be in either today or tomorrow. She did mention that they might be submitted along with the comments in the RFP.

Thanks, give me a call if you need anything,
Adam

From: Green, Jinny [mailto:Jinny.Green@seattle.gov]
Sent: Mon 11/9/2009 8:50 AM
To: Gale, Adam (Consultant)
Subject: RE: Bored Tunnel SUP

Adam,

Sorry about that. I have set up a permit, permit number 100181. I have all the information I need for now. Thank you.

Jinny Green
Utility Coordinator
SDOT Street Use
(206) 684-5280

-----Original Message-----

From: Adam (Consultant) Gale [mailto:galeada@consultant.wsdot.wa.gov]
Sent: Friday, November 06, 2009 11:25 AM
To: Green, Jinny
Subject: Bored Tunnel SUP

Hi Jinny,

I'm just following up with the Bored Tunnel SUP application that we submitted on October 28. Please let me know if I can provide any additional information at this time. Also, has a SUP reference number been issued for the project?

Thanks, Jinny. Please feel free to contact me if you have any additional question.

Adam Gale

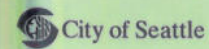
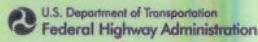
Alaskan Way Viaduct

Permitting Team

Main: (206)267-6884

Alt: (206)903-3376

Alaskan Way Viaduct & Seawall Replacement Program



October 28, 2009

Sandra Gurkewitz
John Baggs, P.E.
SDOT Major Projects Office
700 Fifth Avenue, Suite 3900
P.O. Box 34996
Seattle, WA 98124-4996

Re: Street Use Permit Application
SR 99 Bored Tunnel Design-Build Project

Dear Ms. Gurkewitz and Mr. Baggs:

Attached, please find the City of Seattle (City) Street Use Permit (SUP) application for the proposed State Route 99 (SR 99) Bored Tunnel Design-Build Project (Project). Specific elements of the proposed Project include:

- Design and construction of a large-diameter bored tunnel with an approximate diameter of 55 feet, and approximate length of 2 miles.
- Associated preparation work at the north and south portals to make these areas ready for the tunnel work, including: the design and construction of permanent and temporary retaining walls, relocation of utilities, removal of unsuitable materials and/or soil improvements, removal of adjacent temporary building tie-back supports, providing temporary and permanent power supplies, disposal operations, design and construction of temporary and permanent ventilation buildings, and design and construction of connecting cut-and-cover work at both the north and south ends of the tunnel.
- Design, fabrication, installation, and complete commissioning of tunnel ventilation, communication, lighting, signaling, low voltage utilities and fire/life safety systems that extend beyond the limits of the tunnel through the north and south cut-and-cover areas.

The south portal structure is expected to be located in the vicinity of First Avenue South between Charles and Dearborn Streets and serves as the starting location for the tunnel boring machine. The current proposed tunnel alignment will then extend along First Avenue South, passing under a rail tunnel, to the intersection of Pike Street where it will make a sweeping turn to the east going beneath a sewer tunnel and numerous buildings. The tunnel will then end at the north portal on SR 99, in the vicinity of John and Thomas Streets.

The proposed Project follows a Design-Build process and, although the Washington State Department of Transportation (WSDOT) will be the permit holder for the SUP, the Design-Builder retains the responsibility to prepare and submit design package submittals for City review per RFP Section 2.28.

Currently, Federal Highway Administration, WSDOT and the City are developing a second Supplemental Draft Environmental Impact Statement (SDEIS) for the viaduct replacement. The SDEIS will be published for public review in early 2010, a Final EIS will be published in January 2011, and the Record of Decision will be issued by FHWA in Spring 2011.

If an alternative different from the proposed Project is selected, WSDOT will either terminate the Project and withdraw the application, or resubmit the application to meet the specifics of the selected alternative.

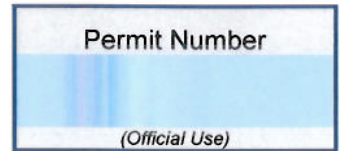
Please contact me at (206) 382-5279 or Adam Gale at (206) 267-6884 with questions or suggestions on specific ways to coordinate with City staff on this review. Thank you in advance for your review and assistance on the proposed Project.

Sincerely,

A handwritten signature in black ink that reads "Allison Hanson". The signature is written in a cursive, flowing style.

Allison Hanson
Director of Environmental Services, ESO Mega Projects (AWV, SR 520, I-405)

cc: Linea Laird
Heather Page
Adam Gale



STREET USE UTILITY PERMIT APPLICATION (SMC 15.32.030)

PROJECT SUMMARY

PROJECT ADDRESS: Linear Construction Project

STREET NAME: SR 99 FROM: First Avenue South between Charles and Dearborn Streets TO: SR 99 between John and Thomas Street

CLASSIFICATION: ARTERIAL NON-ARTERIAL UNDERWATER STREET

START DATE: April 2011 DURATION (DAYS): Approximately 5 Years

JOBWORK ORDER NO: _____ PERMIT NO. IF STARTED ONLINE (NA if none, do not leave blank): N/A

CONTACT INFORMATION

Applicant (Individual or Company) Allison Hanson, Washington State Department of Transportation	Owner (If other than Applicant) Same as Applicant
Address 999 Third Avenue, Suite 2424, Seattle, WA, 98104	Address
Phone (206) 382-5279	Phone
Fax (206) 382-5291	Fax
Email HansonA@wsdot.wa.gov	Email
SDOT Customer ID Allison Hanson	SDOT Customer ID
Contact Name (if different than above) Adam Gale, (206) 267-6884	Contact Name (if different than above)
24 Hour/Job Site Phone	

PERMITTEE (check one): Applicant Owner

NOTE: The Permittee is responsible for deposits, billings and payments and all other Terms of this application (see Terms on the back of this form).

WORK DESCRIPTION

UTILITY AGENCIES

- Major Projects – New, Upgraded, or High Impact (51)
- Aerials - Maintenance/Installation/Removal (51C)
- Electrical/Telecom - Maintenance/Service Connections (51H)
- Gas - Maintenance/Service Connections (51D)
- Other - Maintenance/Service Connections (51M)
- Poles - Maintenance/Installation/Removal (51B)
- Sanitary/Storm - Maintenance (51K)
- Water - Maintenance/Service Connections (51J)
- Maintenance – No Restoration Required (51E)

UTILITY WORK BY PRIVATE PARTIES

- All Types - Maintenance/Service Connections (51G)
- Water - Maintenance/Service Connections (28)

BORING, SURVEYING, AND TESTING

- Exploratory and Testing (51I)

TRANSPORTATION

- Major Projects – New, Upgraded, or High Impact (51A)
- Transportation Maintenance (51L)

PIPE DIAMETER: _____ MATERIAL (Circle): **CMP** **DIP** **HDPE** **PVC** **RCP** OTHER: _____

WORK DESCRIPTION (continued)

DETAILED DESCRIPTION

(Please provide a detailed description of the work proposed in the space below)

The SR 99 Bored Tunnel Design-Build Project consists of the following elements:

- Design and construction of a large-diameter bored tunnel with an approximate diameter of 55 feet, and approximate length of 2 miles.
- Associated work at the at the north and south portals will be required to make these areas ready for the tunnel work, including: the design and construction of permanent and temporary retaining walls, relocation of utilities, removal of unsuitable materials and/or soil improvements, removal of adjacent temporary building tie-back supports, providing temporary and permanent power supplies, disposal operations, design and construction of ventilation buildings, and design and construction of connecting cut-and-cover work at both the North and South ends of the tunnel.
- Design, fabrication, installation, and complete commissioning of tunnel ventilation, communication, lighting, signaling, low voltage utilities and fire/life safety systems that extend beyond the limits of the tunnel through the north and south cut-and-cover areas.

The south portal structure is expected to be located in the vicinity of First Avenue South between Charles and Dearborn Streets and serves as the starting location for the tunnel boring machine. The current proposed tunnel alignment will then extend along First Avenue South, passing under a rail tunnel, to the intersection of Pike Street where it will make a sweeping turn to the east going beneath a sewer tunnel and numerous buildings. The tunnel will then end at the north portal on SR 99, in the vicinity of John Street.

IMPACTED INFRASTRUCTURE

(Check all that apply)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Asphalt Street | <input type="checkbox"/> Trees |
| <input checked="" type="checkbox"/> Concrete Street | <input type="checkbox"/> Planting Strip |
| <input type="checkbox"/> Alley | <input type="checkbox"/> Unpaved Shoulder |
| <input checked="" type="checkbox"/> Sidewalk | <input type="checkbox"/> Paved Shoulder |
| <input checked="" type="checkbox"/> Curb Ramp | <input type="checkbox"/> Traffic Circle |
| <input checked="" type="checkbox"/> Curb and Gutter | <input type="checkbox"/> Unimproved ROW |
| <input checked="" type="checkbox"/> Utility Structures | <input type="checkbox"/> Trees |

- | |
|--|
| <input type="checkbox"/> Other ROW _____ |
| <input type="checkbox"/> Other ROW _____ |

AREA OF USE (SQ FT): 1 sq ft

MOBILITY IMPACT

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Travel Lane Closed | <input type="checkbox"/> Parking Lane Closed | <input type="checkbox"/> Bike Lane Closed | <input checked="" type="checkbox"/> Sidewalk Partially Blocked |
| <input checked="" type="checkbox"/> Multi-Travel Lanes Closed | <input type="checkbox"/> Alley Partially Blocked | <input type="checkbox"/> Bike Lane Partially Blocked | <input checked="" type="checkbox"/> Sidewalk Closed |
| <input checked="" type="checkbox"/> Street Closed | <input type="checkbox"/> Alley Closed | | <input type="checkbox"/> No Impact |

TERMS

Indemnification

The Permittee agrees to defend, indemnify, and hold harmless the City of Seattle, its officials, officers, employees, and agents against: (1) any liability, claims, causes of action, judgments, or expenses, including reasonable attorney fees, resulting directly or indirectly from any act or omission of the Permittee, its subcontractors, anyone directly or indirectly employed by them, and anyone for whose acts or omissions they may be liable, arising out of the Permittee's use or occupancy of the public right-of-way; and (2) all loss by the failure of the Permittee to fully or adequately perform, in any respect, all authorizations or obligations under the Permit.

Acceptance of terms, conditions, and requirements

Permittee shall accept the terms, conditions, and requirements of the permit and agree to comply with them to the satisfaction of the Seattle Department of Transportation, Street Use Division. Permittee further agrees to comply with all applicable city ordinances, including but not limited to Title 15 SMC, and all applicable requirements of state and federal law. Work shall begin within six months from the date of approval unless other arrangements are made, otherwise the application shall be void.

Applicant or Authorized Agent Statement

I declare under penalty of perjury under the laws of the State of Washington that: I am the Applicant AND the Owner OR the authorized agent of the owner; that the information provided herein is correct and complete; and that I have the authority to bind the owner to this application.

Deposits, Charges, and Future Billings

The Permittee is responsible for all permit charges. If a deposit was made for estimated future Street Use services, any unused portion of the deposit will be refunded to the permittee. Any charges in excess of the deposit will be billed to the Permittee.

APPLICANT SIGNATURE: 

DATE: 10/29/07

(Official Use)

REQUIRED AT APPLICATION

- Site Plan
- Restoration Plan
- Traffic Control Plan
- Deposit: \$ _____

REQUIRED PRIOR TO ISSUANCE

- | | | |
|---|---|---|
| <input type="checkbox"/> Annual Permit | <input type="checkbox"/> Historic District Approval | <input type="checkbox"/> Pavement Moratorium Wvr. |
| <input type="checkbox"/> BIA Approval | <input type="checkbox"/> Holiday Moratorium Waiver | <input type="checkbox"/> Proof of Insurance |
| <input type="checkbox"/> Bond | <input type="checkbox"/> Indemnity Agreement | <input type="checkbox"/> SEPA Review |
| <input type="checkbox"/> ECA Permit/Exemption | <input type="checkbox"/> Noise Exemption | <input type="checkbox"/> PACT Waiver |

COMMENTS:

APPLICATION ACCEPTED BY: _____

DATE: _____

APPLICATION APPROVED BY: _____

DATE: _____

From: Gurkewitz, Sandra [Sandra.Gurkewitz@seattle.gov]
Sent: Wednesday, October 14, 2009 11:33 AM
To: Gale, Adam (Consultant)
Subject: RE: Draft - Pre-decisional - Bored Tunnel Project - Meeting with SDOT

Thanks for the reminder. We're working on it.

-----Original Message-----

From: Adam (Consultant) Gale [mailto:galeada@consultant.wsdot.wa.gov]
Sent: Wednesday, October 14, 2009 10:57 AM
To: Gurkewitz, Sandra; Coordination, AWWUtilities
Cc: Heather (Consultant) Page; Allison Hanson
Subject: Draft - Pre-decisional - Bored Tunnel Project - Meeting with SDOT

Hi Sandy and John,

Thanks again for taking the time to meet last week to discuss Street Use Permitting needs associated with the SR 99 Bored Tunnel Design-Build project. As we discussed in the meeting, we would greatly appreciate a list of anticipated SUP commitments that we can incorporate into the Request for Proposal. Please provide this list to me by next Wednesday, October 21.

Thanks, again. Please feel free to contact me if you have any questions.

Adam Gale
Alaskan Way Viaduct
Permitting Team
Main: (206)267-6884
Alt: (206)903-3376

Thanks,
Adam Gale
Alaskan Way Viaduct
Permitting Team
Main: (206)267-6884
Alt: (206)903-3376

From: Gale, Adam (Consultant)
Sent: Wednesday, October 07, 2009 4:40 PM
To: 'David.George@Seattle.Gov'; 'jeff.stalter@seattle.gov'; 'vic.keys@seattle.gov'
Cc: Hanson, Allison; Sexton, Timothy V.; Page, Heather (Consultant); Laughlin, Jim D.
Subject: Draft - Pre-decisional DPD Commitments and Approach - SR 99 Bored Tunnel Design-Build Project
Attachments: WSDOT General BMPs.docm

David and Vic:

Thanks for taking the time today to attend the first of several coordination meetings to discuss the SR 99 Bored Tunnel Alternative Design-Build project. As we discussed in the meeting, the intent of this early coordination is to reach concurrence on the permitting approach for obtaining a Major Public Projects Noise Variance and to outline pertinent information to include into the Request for Proposal (RFP), which will be finalized by mid-November. The attached list of Noise Mitigation BMPs will be incorporated into the RFP. Please feel free to edit and/or add conditions that ensure that WSDOT and the DB comply with your regulations/concerns.

In addition, please confirm the following on the permitting approach:

1. WSDOT will submit the application and Noise Management and Mitigation Plan (NMMP) based on preliminary design and a worst-case scenario. Can the variance that DPD issues on that application allow the DB to start work immediately (knowing that the DB may need to supplement the NMMP with further analysis and additional mitigation if means/methods change from our assumptions)?
2. If not, are there alternative means or ideas to allow the DB to start work immediately pending DPD approval of their NMMP supplement? What would be the timeline for approving the NMMP supplement?
3. Please confirm the process for approval (per the schedule handout today).

We understand that this project is of different magnitude than previous projects; however, it is the goal of WSDOT to include as accurate of information as possible into the RFP to provide the Design-Builder a full understanding of the constraints of the project and to better estimate their cost assumptions. As the project progresses, we will continue to coordinate with you.

Please provide a response by **Wednesday, October 21** – let me know if you would prefer to discuss our questions in person. Any comments can be inserted in track-change directly into the document.

Subject: Bored Tunnel SDOT Street Use Permit Meeting Prep
Location: 32 Small

Start: Thu 10/1/2009 12:30 PM
End: Thu 10/1/2009 1:15 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Gale, Adam (Consultant)
Required Attendees: Gale, Adam (Consultant); Amiri, Ali; Hanson, Allison; Page, Heather (Consultant)
Optional Attendees: Everett, Susan

Internal bored tunnel preparation meeting to discuss street use permitting. Main points of prep meeting include:

- Broad overview of program elements (although SDOT is very familiar)
- Specific scope of Bored Tunnel RFP
- Street Use Permit conditions overview for inclusion into the RFP
- Confirm buildings in public right-of-way are permitted through Street Use Permits

Please feel free to contact me if you have any questions.
Thanks,

Adam Gale

Alaskan Way Viaduct

Permitting Team

Main: (206)267-6884

Alt: (206)903-3376

Active Projects Permit Status

Alaskan Way Viaduct and Seawall Replacement Program Permit Team

Tuesday, September 29, 2009

<i>Permit Type (Permit Name)</i>	<i>Status</i>	<i>(Anticipated) or Actual Submittal/ Issuance Dates</i>	<i>Expiration Date</i>	<i>Notes</i>
<i>AWV General Project</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
Shoreline Substantial Development Exemption	Permit Issued	4/24/2008 / 8/28/2008		Permit #6192660; Geotech
<i>Intelligent Transportation System - ITS North</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
City of Shoreline Noise Variance	Permit Issued	7/30/2009 / 8/8/2009		City of Shoreline - Installation of Sensys pucks in roadbed at SR 99 & N. 145th St.
Seattle Noise Variance	Permit Issued	5/20/2009 / 6/14/2009	12/31/2010	Existing BST variance # 208443 transferred to Ward St..
Seattle Temporary Noise Variance	Permit Issued	7/23/2009 / 8/11/2009		Two additional variances for work from N. 68th St. to N. 145th St. along SR 99
Shoreline Substantial Development Exemption	Permit Issued	2/23/2009 / 3/4/2009		Exemption issued on March 4, 2009
Street Use Permit (Utility Permit)	Permit Issued	4/30/2009 / 9/10/2009		Permit #: 87586
<i>Intelligent Transportation System - ITS South</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
Noise Variance - City of Seattle	Permit Issued	6/10/2009 / 6/17/2009	9/30/2010	An additional Temp. Noise Variance was issued on 8/13/09 for a total of four.
Noise Variance - City of Tukwila	Permit Issued	6/16/2009 / 7/28/2009		
Noise Variance - King County	Permit Issued	5/26/2009 / 6/26/2009		
NPDES Construction Stormwater General Permit	Permit Issued	5/28/2009 / 7/16/2009	10/1/2010	
Shoreline Substantial Development Exemption - City of Tukwila	Permit Issued	5/4/2009 / 6/8/2009		
Street Use Permit (Utility Permit)	Permit Issued	5/27/2008 / 6/5/2008	9/30/2010	SUP # 92465 for traffic detours
Street Use Permit - City of Tukwila (Simple Permit)	Permit Issued	5/26/2009 / 7/2/2009	7/2/2010	
<i>Pier 48 - Warehouse Demolition</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
Demolition Permit	Application Preparation	9/22/2009 / (10/30/2009)		
Shoreline Substantial Development Exemption	Application Preparation	9/22/2009 / (10/23/2009)		
<i>S. Massachusetts St. to Railroad Way S. Electrical Lines Relocation Project Stage 1 - Permits Required By 5/16/2008</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
Noise Variance	Permit Issued	3/11/2008 / 3/19/2008	3/31/2010	9 different 14-day variances.
NPDES Construction Stormwater General Permit	Permit Issued	2/14/2008 / 3/24/2008	12/16/2010	
Street Use Permit (Utility Permit)	Permit Issued	9/4/2007 / 5/16/2008	7/3/2010	

* The date 9/9/9999 is used to indicate that the date does not exist or is not applicable

<i>Permit Type (Permit Name)</i>	<i>Status</i>	<i>(Anticipated) or Actual Submittal/ Issuance Dates</i>	<i>Expiration Date</i>	<i>Notes</i>
<i>S. Massachusetts St. to Railroad Way S. Electrical Lines Relocation Project Stage 1 - Permits Required By 5/16/2008</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
Underground Injection Control, Registration (Subsidence)	Contractor Submittal	(9/9/9999) /		Contractor will obtain permit. Ecology has confirmed no need for treatment of reinjected water.
Wastewater Discharge Permit, King County	Contractor to Finalize	2/8/2008 /	5/15/2008	Final Draft permit issued and conditions incorporated, final permit contingent on approval of contractor's dewatering plan.
<i>SR 519 Intermodal Access Project Phase 2</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
Noise Variance	Awaiting Design	/		contractor to apply
NPDES Construction Stormwater General Permit	Permit Issued	3/11/2008 /	4/21/2008 12/16/2010	
Street Use Permit (Utility Permit)	Agency review	/		Contractor to apply.
Wastewater Discharge Authorization, King County	Awaiting Design	/		contractor to apply
<i>SR 519 Intermodal Access Project Phase 2 - 1st & Atlantic</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
Street Use Permit (Simple Permit)		10/8/2008 /	10/9/2008	
<i>SR 99/WOSCA Building Demolition</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
NPDES Construction Stormwater General Permit	Agency review	3/12/2009 /	3/24/2009	Waiting Completion of Public Comment Period
Street Use Permit (Utility Permit)	Permit Issued	/		Modification to Electrical Line Relocation Project Street Use Permit
<i>Viaduct Removal from Holgate to King Street - Stage I</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
Noise Variance	Permit Issued	9/22/2008 /	10/27/2008 1/29/2010	9, 14-day Temporary Noise Variances
NPDES Construction Stormwater General Permit	Permit Issued	10/2/2008 /	11/10/2008 10/2/2009	
Shoreline Substantial Development Exemption	Permit Issued	4/24/2008 /	9/19/2009	Exemption will applies for both Contracts 1 and 2.
Street Use Permit (Utility Permit)	Permit Issued	4/2/2008 /	1/20/2009	
Wastewater Discharge Permit, King County	Permit Issued	9/29/2009 /	12/11/2008	Final Draft permit issued and conditions incorporated, final permit contingent on approval of contractor's dewatering plan.
<i>Viaduct Removal from Holgate to King Street - Stage II</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
Noise Variance	Permit Issued	8/25/2008 /	12/12/2008 4/1/2013	26, 14-day variances
NPDES Construction Stormwater General Permit	Permit Issued	7/16/2008 /	8/23/2008 12/16/2010	
Shoreline Substantial Development Exemption	Permit Issued	8/21/2008 /	9/19/2008	
Street Use Permit (Utility Permit)	Permit Issued	4/27/2009 /	8/28/2008	Permit # 67102 Ad date of 10/26/09

* The date 9/9/9999 is used to indicate that the date does not exist or is not applicable

<i>Permit Type (Permit Name)</i>	<i>Status</i>	<i>(Anticipated) or Actual Submittal/ Issuance Dates</i>	<i>Expiration Date</i>	<i>Notes</i>
<i>Viaduct Removal from Holgate to King Street - Stage II</i>				<i>SEPA/NEPA Complete</i> <input checked="" type="checkbox"/>
Wastewater Discharge Permit, King County	Permit Issued	5/20/2009 /	7/16/2009	Final Draft permit issued and conditions incorporated, final permit contingent on approval of contractor's dewatering plan.

* The date 9/9/9999 is used to indicate that the date does not exist or is not applicable

From: Page, Heather (Consultant)
Sent: Tuesday, September 29, 2009 3:24 PM
To: Hanson, Allison; Farley, Kimberly; Mattern, Dave (Consultant); Rigsby, Mike (Consultant); Everett, Susan; Amiri, Ali; Anderson, Mark - UCO; Beadle, Steve; Lacy, Paul; Nordon, Richard (Consultant); Schmitt, Sara; Freudenstein, Angela; McCullough, Gwen
Cc: Newcomb, David (Consultant); Gale, Adam (Consultant)
Subject: Permitting Status 9/29/09
Attachments: Status Active_Permits092909.pdf

Hi all,

Attached, please find the permit status for all of our active projects. Once the contracts/schedule become more formalized, I will send out a schedule of our anticipated permits and submittal/issuance dates.

The last set of permits to obtain for the active project is for the Pier 48 warehouse demolition project. We did not include the WDNR lease authorization on this spreadsheet b/c WSDOT HQ is obtaining on our behalf.

Please forward to anyone I may have missed.

Thanks,
Heather

Heather Page
Permitting Manager
Alaskan Way Viaduct Replacement Program
999 Third Avenue, Suite 2424
Seattle, WA 98104
T 206.267.6516
C 206.979.7987

Please consider the environment before printing this email.

From: Hanson, Allison
Sent: Monday, September 28, 2009 5:26 PM
To: Page, Heather (Consultant)
Subject: Re: Bored Tunnel Project - Meeting with SDOT

Did you follow up with Susan on this today? If you can that would be good because I am out in a mtg with the MIT in the morning.

From: Amiri, Ali
To: Hanson, Allison; Page, Heather (Consultant)
Cc: Gale, Adam (Consultant); Nielsen, Brian D.; Everett, Susan
Sent: Mon Sep 28 17:23:17 2009
Subject: RE: Bored Tunnel Project - Meeting with SDOT

Allison/Heather,
Wonder why WSDOT tunnel leads are not invited to this meeting. I can cover the south portal but when it comes to the RFP you will need to engage Brian and whoever else he wants involved in the discussion with SDOT.

Thanks
Ali

From: Gale, Adam (Consultant)
Sent: Monday, September 28, 2009 2:54 PM
To: Hanson, Allison; Page, Heather (Consultant); 'Mark Palermo'; 'Sandra.Gurkewitz@Seattle.Gov'; 'awvutilitiescoordination@Seattle.Gov'; Amiri, Ali

Subject: Bored Tunnel Project - Meeting with SDOT
When: Wednesday, October 07, 2009 2:00 PM-3:00 PM (GMT-08:00) Pacific Time (US & Canada).
Where: Wells Fargo Building - 32 Small

The purpose of this meeting is to discuss Street Use permitting associated with the Bored Tunnel. Specific agenda items include:

- Broad overview of program elements (although SDOT is very familiar)
- Specific scope of Bored Tunnel RFP
- Street Use Permit conditions overview for inclusion into the RFP

Thanks, please feel free to contact me with any questions.

Adam Gale

Alaskan Way Viaduct
Permitting Team
Main: (206)267-6884
Alt: (206)903-3376



MEMORANDUM

To: Allison Hanson, WSDOT **Date:** July 6, 2009
From: Alaskan Way Viaduct Replacement Program Permitting Team
Re: Preliminary Permit Strategy for Discussion Purposes
Contract Unit 03 – Tunnel and Tunnel Systems Contract (Design Build)

This memorandum identifies the permits for local, state, and federal permitting processes to deliver the Design Build Tunnel and Tunnel Systems Contract (the Project). This memorandum has been developed to aid in permit strategy discussions with environmental management and the design team. The permit strategy will be refined as the design of the project and construction practices become more defined.

For all other contracts, a separate permit strategy will be developed that will include outlining program-wide permit strategies (such as single permits that could overlap multiple contracts and other streamlining opportunities), contract-specific permit strategies, and regulatory agency coordination.

PROJECT

Based on the preliminary draft of the Alaskan Way Viaduct Replacement Program project descriptions, the Project will encompass tunnel construction, tunnel systems installation, and staging.

Contract 03a: Tunnel Construction

The construction of the tunnel will consist of the following project elements:

- Design, order, deliver and assemble Tunnel Boring Machine
- Provide settlement mitigation: building, utility, and surface monitoring instrumentation; advanced soil replacement; selective building

underpinning; utility relocation; repair and/or replacement of damage to surface streets and sidewalks

- Excavate the south portal and construct the tunnel launch facility
- Prepare the site for tunneling: betonite mixing and recovery plant (if required), crane for Tunnel Boring Machine (TBM) erection and for lowering segments into the excavation, segment receiving and storage yard, temporary ventilation structure, etc.
- Drive the tunnel and erect segments
- Remove the TBM at the north end from a retrieval pit built by others
- Remove and dispose of material
- Construct interior structures (walls, deck, stairways, escape pathways, final overlay, etc.)
- Install conduit, ducting, and piping between the tunnel and the ventilation building
- Construct “civil” components of mechanical/electrical/control systems (conduit, drainage piping, deluge mains, duct banks, vaults, and associated tunnel mechanical equipment)

Contract 03b: Tunnel Systems

Tunnel systems will consist of installing the following project elements:

- Main switchboards, transformers power distribution panels and cables
- Lighting control panels and lighting
- Fire control panel, linear detectors and smoke alarms
- Deluge valves, controls and sprinkler piping
- Closed circuit television (CCTV) cameras and emergency telephones
- Fiber optic cables for communication
- Low voltage control wiring
- Ventilation fans and fan controls
- Radio cable, antenna and equipment
- Main computer control center that ties to central operations
- Alarms and emergency lighting

Staging Areas

Staging areas and staging area activities are currently being researched and vetted. To date, the following staging areas are proposed for the Project.

Pier 48

The upland area of the property is currently used as a parking lot and will be utilized for contractor parking. No fabrication activities, staging of heavy equipment, laydown of materials, construction of project trailers, or import and export of material are planned at Pier 48. It is assumed that no modifications to Pier 48 will be undertaken by the Project.

Terminal 25

A portion of Terminal 25 may be utilized for contractor parking, fabrication of tunnel segments, staging of heavy equipment, laydown of materials, and import and export of materials and equipment. The location for barge-out and disposal of excavated material to an approved upland location may include the construction of a conveyance system within the shoreline area. It is assumed that no modifications to Terminal 25 will be undertaken by the Project.

WOSCA

Depending on timing of contracts, WOSCA will be utilized for contractor offices in an existing building and for staging of tunnel segments and construction equipment. The area will likely be utilized for storage of baker tanks associated with dewatering, temporary soil stockpiles, and spoils from tunnel excavation operations.

KEY ASSUMPTIONS

The following key assumptions have been made:

- The Project will occur in the City of Seattle, will be federally funded, and will occur all within Washington State Department of Transportation (WSDOT) limited access, with the exception of staging locations.
- The Project will follow a design-build model. Under this model, WSDOT-obtained permits will be based on a 15% design. The design-build

contractor will be responsible for the remaining permits described below through the Final Construction Plans.

- Critical areas review would occur as part of land use review for a specified development proposal (City of Seattle Municipal Code [SMC] 25.09.380). WSDOT will comply with the intent of the local jurisdictions' regulations but will not obtain permits or undergo critical areas review for work being conducted in State right-of-way. This includes, but is not limited to, clearing, grading, building, and demolition permits for WSDOT-owned structures.
- For building or demolition of structures that are not in WSDOT limited access, but are located in public right-of-way, permitting of those activities will occur through a Street Use Permit.
- The design-build contractor will assemble the TBM and will complete tunnel excavation work with either an Earth Pressure Balance or Slurry Shield TBM.
- No in-water work will occur under this contract. If a pier or terminal were used to import or export materials, no modifications to the facilities will occur and no barges will be permitted to anchor down into the sediment bed.
- Contract Unit 01 – 1st Avenue Ground Replacement Contract and Contract Unit 02 – Tunnel Boring Machine Substation will be constructed prior to the start of Contract Unit 03 and are therefore assumed to be existing conditions for the development of this permit strategy.

WSDOT-OBTAINED PERMITS

Section 402 National Pollutant Discharge Elimination System (NPDES) (General or Individual) – Washington State Department of Ecology (Ecology)

The NPDES Construction Stormwater permit authorizes stormwater discharges to surface water and is required for any land disturbing activities such as clearing, grading, excavating, and/or demolition that: 1) disturbs one or more acres of land area, or 2) are “part of a larger common plan of development or sale” that will ultimately disturb one or more acres of land, and 3) discharges stormwater from the site into state surface water(s) or into storm drainage systems, which discharge to

state surface waters. Stormwater associated with construction support activities (e.g., off-site equipment staging yards, material storage areas, borrow areas, etc.) are also covered by this permit.

If conditions indicate that the general permit will be ineffective to protect water quality, Ecology may require a construction site to obtain an individual stormwater permit. An individual permit is written specifically for the site. The Environmental Procedure Manual (31-11.03) states: “On large WSDOT projects, a pre-application conference is advisable for an early determination of whether an Individual Permit will be needed.”

Based on the unique project elements and the background research provided below, it is our recommendation to setup a pre-application meeting with the local Ecology contact (Josh Klimek) and the Program’s Ecology liaison (Terry Swanson) to verify the appropriate permit type. Which TBM the contractor selects may affect whether the project would require a General or Individual NPDES Permit. For example, if the Design-builder selects the Slurry Shield TBM over the Earth Pressure Balance TBM, a betonite mixing and recovery plant may be required where treatment and disposal conditions are not covered under the Construction Stormwater General Permit. Finally, if after the pre-application meeting with Ecology it is decided that the type of TBM dictates the choice of one of the two permits, WSDOT could either dictate to the design-build contractor which TBM should be used or the design-build contractor will be required to obtain the NPDES permit.

Background and Similar Projects

An Individual NPDES Permit was issued to the Central Puget Sound Transit Authority for the Central Link light rail project. As with the Central Waterfront Project(s), the Central Link light rail project was broken into several contract units, including a 1.5-mile twin bored tunnel through Beacon Hill. However, the light rail project’s Individual NPDES Permit covers the entire contract while this permit strategy only covers Contract Unit 03.

For WSDOT Interstate 405 (I-405) projects, criterion was used to confirm whether an Individual or General NPDES Permit was required. A “yes” to all three of the


following criterion required an Individual Permit, while a “no” to any required a General Permit.

1. The project will be under construction for two or more complete wet-weather seasons of construction. In Western Washington the wet-weather construction period is considered to be from October 1st to April 30th.
2. When 25 acres or more of soils are disturbed and under active excavation at any one time during any phase of the construction project, then the project has met the magnitude criteria.
3. The project site during construction will discharge construction stormwater run-off or has the significant potential to have such discharges to “sensitive waters.” “Sensitive waters” include public drinking water intakes and their designated protection areas; designated public swimming areas; shellfish beds; State-designated Outstanding Resource Waters; National Marine Sanctuaries; State Aquatic Reserves; and waters determined to be critical habitat for threatened or endangered species.

In regards to total acreage of soils disturbed for I-405 projects, the March 2006 WSDOT Highway Runoff Manual M 31-16 (HRM) states that any construction activity occurring between April 1 and October 31 shall not expose more than 17 acres of erodible earth at one time, and that construction activities occurring between November 1 and March 31 shall not expose more than 5 acres of erodible earth at one time. Therefore, the requirements imposed by the HRM ensure that the magnitude criteria (25 acres) will not be exceeded. Criteria used for the I-405 projects to differentiate between an Individual and General NPDES Permit are not consistent with Ecology regulations. Therefore, this criterion will need to be vetted with the Project Ecology liaisons.

Coastal Zone Management Act (CZMA) Consistency Determination – Ecology

A CZMA Consistency Determination is required for projects requiring federal funding within any of Washington's 15 coastal counties (i.e., King County).



Draft and Final Street Use Permit(s) – City of Seattle, Department of Transportation (SDOT):

As stated in the assumptions, the Project will occur within WSDOT limited access, with the exception of staging locations. Elements requiring a street use permit may include:

- Traffic control
- Restriping the First Avenue centerline to align with the centerline of the tunnel
- Building or demolition of structures within public right-of-way
- Replacing damaged surface streets and sidewalks as a result of settlement

WSDOT will coordinate with SDOT through 15% design development and obtain draft Street Use Permit conditions for incorporation into the request for proposal. It is recommended that a clear strategy be laid out that describes the process by which the design-build contractor submits design packages to WSDOT for City of Seattle review and approval. The final Street Use Permit would then be issued to WSDOT. We recommend a strategy meeting with the SR 519 Intermodal Access Project—Phase 2 project team members responsible for obtaining the Street Use Permit, including City of Seattle Department of Transportation staff.

Major Projects Noise Variance – City of Seattle Department of Planning and Development (DPD):

WSDOT has been closely involved during the development of the amended noise ordinance and accompanying draft Director's Rule 3-2009. A public outreach strategy that addresses the requirements of the noise ordinance and draft Director's Rule 3-2009 is being developed with Northwest Region Noise and Air Quality managers in coordination with permit managers and public involvement staff at the Alaskan Way Viaduct Replacement Program and SR 520 Bridge Replacement and high occupancy vehicle (HOV) Program.

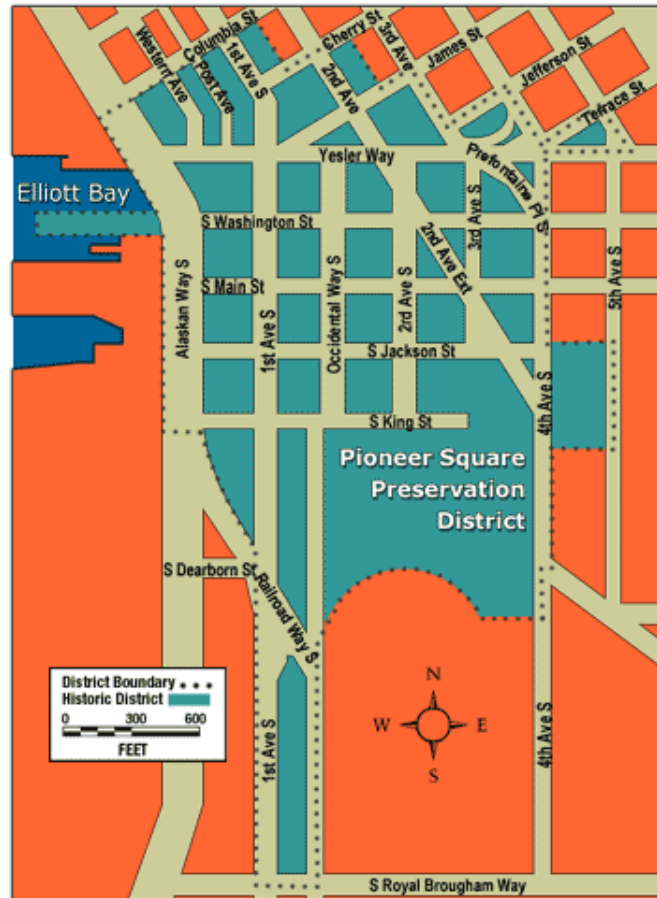
Because of the public outreach requirements and potential for appeals, it is highly recommended that WSDOT obtain the Major Projects Noise Variance.

The preferred option is for WSDOT to obtain the Major Projects Noise Variance prior to contract award. The variance application, which includes mitigation measures, can be developed to allow for a range of potential noise-generating activities and mitigation measures. WSDOT would then coordinate with DPD during construction to provide contractor means/methods and to propose amendments to the issued Major Projects Noise Variance. In early conversations with DPD, this would be a viable option. A meeting with DPD noise abatement staff would occur prior to implementation of this strategy.

The second option is for WSDOT to obtain the Major Projects Noise Variance during construction. The request for proposal would need to lay out a timeline and required information for the design-build contractor to submit to WSDOT for the variance application.

Preliminary Pioneer Square Historic District Certificate of Approval

As shown in Figure 1, the Pioneer Square Historic District boundary includes the area around the south portal of the bored tunnel. The boundaries of the Project will need to be confirmed with the design team.

**Figure 1**

Certificates of Approval are official notices of approval issued by the Pioneer Square Preservation Board and the Director of the Department of Neighborhoods. They are required before the City of Seattle will issue permits for work that results in any change to the exterior appearance of any Pioneer Square District structure, including facade alterations, new construction, demolition, or remodeling. Work must occur exactly according to approved plans. Any revisions, omissions, or additions to plans must be reviewed by the Board prior to execution.

WSDOT can make a written request to submit an application for a Certificate of Approval for a preliminary design if the applicant waives in writing the deadline for a Board decision on the final design and any deadlines for decision on related permit applications under review by the DPD; however, the final design will need to be submitted by the Design-builder following the Final Construction Plans.

Prior to initiating the application process for a draft Certificate of Approval, the permit team will require direction from WSDOT management and legal staff of the jurisdictional boundaries. Per previous guidance, WSDOT-owned structures are not subject to Pioneer Square Historic Preservation Board approval.

DESIGN-BUILD CONTRACTOR-OBTAINED PERMITS

Section 402 NPDES (General or Individual) – Ecology

If the type of TBM dictates the choice of one of the two permits, WSDOT could either dictate to the design-build contractor which TBM should be used or the design-build contractor will be required to obtain the NPDES permit.

Building and Demolition Permits (as necessary) – Seattle DPD

Building and/or demolition permits may be required as a result of any surface street settlement mitigation during construction that occurs on private property.

Industrial Wastewater Discharge Permit or Authorization – King County Industrial Waste Program (Ecology oversight)

An Industrial Wastewater Discharge Permit or Authorization would be required for dewatering activities associated with tunnel boring. It is assumed that groundwater will be encountered primarily at the south and north portals. Outside of the portal areas, the depth of the tunnel is assumed to be below the groundwater table.

In general, the threshold requirement for an Industrial Wastewater Discharge Permit is if the discharge is greater than 25,000 gallons per day. Otherwise, an authorization would be required. A permit includes a more substantial application process and package, as well as a public review period. Because dewatering needs will not be addressed prior to 15% design, the design-build contractor will be required to obtain the permit or authorization.

Underground Injection Control (UIC) – Ecology

UIC wells are built structures used to discharge fluids into the subsurface. The majority of UIC wells in Washington are used to manage stormwater (i.e., drywells) and sanitary waste (large on-site systems), return water to the ground, and help clean

up contaminated sites. The contractor will be required to register the UIC wells with Ecology.

Notice of Intent for Demolition Activities – Puget Sound Clean Air Agency Regulations (PSCAA)

Demolition and renovation projects must comply with certain asbestos requirements before they begin. Regardless of whether any asbestos is identified, an Asbestos/Demolition Notification and filing fee must be submitted to PSCAA before any friable asbestos removal or demolition begins. This applies to all structures, including mobile homes, with greater than 120 square feet of roof area.

Administrative Order for Chemical Treatment (if necessary) – Ecology:

The use of chemical treatment Best Management Practices (BMPs), including enhanced sand filtration, requires an Administrative Order for Chemical Treatment from Ecology.

Pioneer Square Historic District Certificate of Approval – City of Seattle, Department of Neighborhoods:

If it is determined that a Certificate of Approval is required, the final design will need to be submitted by the design-build contractor using the Final Construction Plans.

Shoreline Substantial Development Permit (SSDP) – City of Seattle DPD:

Seattle's shoreline regulations are mandated by the State Shoreline Management Act (SMA) of 1971, as amended in RCW Chapter 90.58. Shorelines, by definition, are composed of areas extending 200 feet landward, as measured on a horizontal plane from ordinary high water. "Substantial development" means any development of which the total cost or fair market value exceeds Two Thousand Five Hundred Dollars (\$2,500) or any development which materially interferes with the normal public use of the water or shorelines of the City of Seattle (SMC 23.60.020).

Depending on the method for disposing of excavated materials, the design-build contractor may elect to develop a conveyance system at the staging areas identified in this memorandum as a means for loading the material onto barges. This is an outright permitted use within the urban industrial shoreline zoning designation (SMC

23.60.840), but would require the design-build contractor to apply for and obtain an SSDP.

Electrical and Water/Sewage Permits (as necessary) – City of Seattle DPD

PERMITS NOT ANTICIPATED AS PART OF THE CONTRACT

U.S. Army Corps of Engineers (USACE) Section 404 Permit – USACE

A 404 permit is required if discharging dredged or fill material into the waters of the United States, including special aquatic sites such as wetlands. In-water work is not proposed under this contract unit and thus will not require a Section 404 permit.

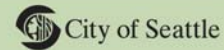
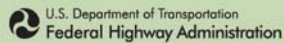
Section 401 Water Quality Certification – Ecology

A Section 401 permit is required if discharging dredged or dredge or fill material into water or non-isolated wetlands or excavation in water or non-isolated wetlands. In-water work is not proposed under this contract unit and thus will not require a Section 401 permit.

Hydraulic Project Approval (HPA) – Washington Department of Fish and Wildlife (WDFW)

An HPA is required if proposed work activities uses, diverts, obstructs, or changes the natural flow or bed of any of the salt or fresh waters of state. In-water work is not proposed under this contract unit and thus will not require an HPA.

Alaskan Way Viaduct & Seawall Replacement Program



To: Sasha Visconty
From: Heather Page
Date: February 19, 2009
Subject: Permit Summary for the Bored Tunnel Hybrid Alternative

This memorandum identifies the permits and associated appeals for local, state, and federal permitting processes to deliver the following elements of the Bored Tunnel Hybrid Alternative:

- Construction of a new SR 99 four-lane bored tunnel from Royal Brougham Way in the south end to John, Thomas, and Harris Streets over Aurora Avenue in the north end
- Removal of the Alaskan Way Viaduct (Viaduct) from S. King Street to Elliott Avenue/Western Avenue
- Construction of a four-lane Alaskan Way South from S. King Street to Elliott Avenue/Western Avenue

KEY ASSUMPTIONS

The following key assumptions have been made:

- The proposed Bored Tunnel Hybrid Alternative will occur in the City of Seattle, be federally funded, and follow a design-build model.
- Construction and permitting of the promenade, seawall, utility relocations, stormwater treatment facilities outside of the project limits, and intakes and outfalls will be performed by the City of Seattle.
- The Viaduct structure and the four-lane bored tunnel and its portals will be within WSDOT limited access. The Viaduct structure is located on City of Seattle right-of-way.
- All staging areas will be on public property.
- WSDOT will comply with the intent of the local jurisdictions' regulations but will not obtain permits or undergo critical areas review for work being conducted in State right-of-way. This includes but is not limited to, clearing, grading, building, and demolition permits for WSDOT-owned structures (Viaduct).
- Landmark Building Approval will not be obtained for demolition of the Viaduct per previous discussions between Deborah Cade, Allison Hanson and Karen Gordon (City of Seattle).

PERMITTING SUMMARY

The following tables show the major environmental and construction permits that WSDOT or the Design-Build Contractor would be required to obtain. An applicant or a third party can appeal the permit decision per the Administrative Procedures Act (Chapter 34.05 RCW). All administrative appeals must be exhausted before filing a judicial appeal.

An administrative appeal of a government agency decision is made to either the director of the agency or to a designated administrative board (such as the Shorelines Hearings Board or Pollution Control Hearings Board). Appeals to an agency director are typically heard by a hearing officer appointed by the director, who conducts an evidentiary hearing and compiles an administrative record. Judicial appeals to superior court may be used where there is no right of administrative appeal or where all avenues of administrative appeal have been exhausted. In either case, the court reviews the record compiled by the agency or the hearing officer, and typically does not hear new testimony or take additional evidence.

Additional permits to be obtained by the Design-Build Contractor may include Notice of Intents for geotechnical borings and for installing, modifying, or removing piezometers and wells. These do not have appeal periods associated with them.

It is assumed that a Section 402 NPDES (Individual) Permit and underground injection will not be required. SEPA adoption is required before the Washington State Department of Ecology (Ecology) can issue permits and before Shoreline Substantial Development Permits can be issued.

**Table 1
 WSDOT Obtained Permits**

	SR 99 four-lane bored tunnel	Removal of the Alaskan Way Viaduct	Construction of a four-lane Alaskan Way South	Issuing Agency	Administrative Appeal ¹	Judicial Appeal ^{2,3}
Section 402 NPDES (General)	X	X	X	Ecology	<p>Total Time: 6 to 18 months</p> <ul style="list-style-type: none"> • Appeal to Pollution Control Hearings Board (PCHB) by WSDOT or third party must be filed within 30 days of Ecology decision • Pre-hearing conference within 1 month of appeal • Current calendar shows openings in ~8 months for cases that are more than 2 days long • Appeal does not stay effectiveness of permit. Appellant may ask issuing agency for stay, but would have to meet standard set out in RCW 43.21B.320, which includes likelihood of success on the merits, irreparable harm if permit not stayed, and that a stay is in the public interest. 	<p>Total Time: 6 months to 1+ years</p> <ul style="list-style-type: none"> • Appeal of PCHB decision by WSDOT or third party must be filed in State Superior Court within 30 days from the date the order is mailed • Can be further appealed to Court of Appeals and other higher courts, 1+ year process
CZMA Federal Consistency Determination	X	X	X	Ecology (Primary Regulator)/ Office of Ocean and Coastal Resource Management (Federal Oversight)	<p>Total Time: 6 months</p> <ul style="list-style-type: none"> • Appeal of Ecology decision to Secretary of Commerce solely made by WSDOT, not by third party • Appeal to Secretary of Commerce must be filed within 30 days of Ecology decision • Public comment on Secretary of Commerce's decision 	<p>Total Time: 6 months to 1+ years</p> <ul style="list-style-type: none"> • Secretary of Commerce's decision on appeal is final agency action and can be appealable in Federal Court under Administrative Procedures Act (APA)
Shoreline		X	X	City of Seattle	Total Time: 6 months	Total Time: 6 months to 1+ years

**Table 1
WSDOT Obtained Permits**

	SR 99 four-lane bored tunnel	Removal of the Alaskan Way Viaduct	Construction of a four-lane Alaskan Way South	Issuing Agency	Administrative Appeal ¹	Judicial Appeal ^{2,3}
Substantial Development Permit				(Primary Regulator)/ Ecology (State Oversight)	<ul style="list-style-type: none"> • Appeal to Shoreline Hearing Board (SHB) by WSDOT or third party must be filed within 21 days of decision • Board must make decision within 180 days of filing unless both parties agree to extend • Appeals stays permit. Work may not proceed unless permit was granted by the agency and there is a favorable Board ruling. 	<ul style="list-style-type: none"> • Appeal of SHB decision by WSDOT or third party must be filed in State Superior Court within 30 days from the date the order is mailed • Can be further appealed to Court of Appeals and other higher courts, 1+ year process • Appeal beyond SHB does not stay permit unless petitioner is granted stay under RCW 90.58.140(5)(b), which requires appellant to show that there will be significant irreversible damage to environment
Street Use Permit	X	X	X	City of Seattle	<p>Total Time: 1 month</p> <ul style="list-style-type: none"> • Appeal to SDOT Director by WSDOT or third party must be filed within 10 days of permit decision • The Director's decision on review or reconsideration is final 	<p>Total Time: 6 months to 1+ years</p> <ul style="list-style-type: none"> • The Director's decision can be appealable by WSDOT or third party in Superior Court under LUPA

Notes:

1. Section 402 NPDES General Permit (Chapter 173-226-190 WAC and Chapter 43.21B RCW); CZMA Federal Consistency Determination (Title 15, Ch IX, Part 930.125 Code of Federal Regulations); Shoreline Substantial Development Permit (Chapter 461-08 WAC and Chapter 90.58.180 RCW); Street Use Permit (Chapter 15.04.112 Seattle Municipal Code)
2. Section 402 NPDES General Permit (Chapter 371-08 WAC and Chapter 34.05 RCW); CZMA Federal Consistency Determination (Chapter 34.05 RCW); Shoreline Substantial Development Permit (Chapter 461-08-570 WAC and Chapter 34.05 RCW); Street Use Permit (Chapter 36.70C RCW)
3. Optional Process for appeal directly to Court of Appeals: Section 402 NPDES General Permit (Chapter 371-08-560 WAC and Chapter 34.05.518 RCW) and Shoreline Substantial Development Permit (Chapter 461-08-575 WAC and Chapter 34.05.518 RCW)

**Table 2
Design-Build Contractor Obtained Permits**

	SR 99 four-lane bored tunnel	Removal of the Alaskan Way Viaduct	Construction of a four-lane Alaskan Way South	Issuing Agency	Administrative Appeal ¹	Judicial Appeal ²
Noise Variance	X	X	X	City of Seattle	Total Time: 4 to 6 months <ul style="list-style-type: none"> • Appeal to Hearing Examiner by WSDOT or third party must be filed within 10 days of decision • May take 6 to 7 weeks to schedule hearing, decision must be issued within 15 days of hearing 	Total Time: 6 months to 1+ years <ul style="list-style-type: none"> • Appeal of Hearing Examiner decision by WSDOT or third party must be filed in State Superior Court within 21 days • Can be further appealed to Court of Appeals and other higher courts, 1+ year process
Historic District Approvals (Impacts to non-State owned structures)	X	X	X	City of Seattle (Primary Regulator)/ Related Federal Oversight through DAHP	Total Time: 6 months <ul style="list-style-type: none"> • Appeal to Hearing Examiner by WSDOT or third party must be filed within 14 days of decision • Decision must be issued within 90 days of filing of all city appeals 	Total Time: 6 months to 1+ years <ul style="list-style-type: none"> • Appeal of Hearing Examiner decision by WSDOT or third party must be filed in State Superior Court within 21 days • Can be further appealed to Court of Appeals and other higher courts, 1+ year process
Industrial Wastewater Discharge Authorization (Dewatering)	X			King County (Primary Regulator)/ Ecology (State Oversight)	Total Time: 6 months <ul style="list-style-type: none"> • Appeal to Hearing Examiner by WSDOT or third party must be filed within 15 days of the Director's decision • Decision must be issued within 90 days from the appeal date 	Total Time: 6 months to 1+ years <ul style="list-style-type: none"> • Appeal of Hearing Examiner by WSDOT or third party must be filed in PCHB or State Superior Court within 30 days from the date the order is mailed • Can be further appealed to Court of Appeals and other higher courts, 1+ year process

Notes:

1. Noise Variance ("Proposed" Chapter 25.08 and Chapter 3.05 Seattle Municipal Code); Historic District Approvals (Chapter 25.24.080 and Chapter 25.25.300 Seattle Municipal Code); King County Industrial Discharge Authorization (Chapter 20.24 and 28.84.100 King County Code)
2. Judicial Review of Land Use Decisions: Chapter 36.70C RCW; Industrial Wastewater Discharge Authorization (Dewatering): PCHB (Chapter 173-226-190 WAC and Chapter 43.21B RCW) Superior Court (Chapter 371-08 WAC and Chapter 34.05 RCW)