

VandenBerghe, Alissa (Consultant)

From: Paananen, Ron
Sent: Tuesday, January 27, 2009 3:17 PM
To: Brown, Bryce
Cc: Dye, Dave
Subject: Viaduct Strategic Environmental Advice / Kimberly Farley

Bryce, here is some background on our discussion yesterday.

Urban Corridors Office is requesting that Kimberly Farley be allowed to work on projects that because of the ethics rule, she would otherwise be disallowed from engaging in. We are seeking this exception because UCO projects are in need of the special and unique skills that Kimberly has developed during her fifteen-year career as an environmental professional.

Kimberly worked as a WSDOT employee for 10 years. In the last three years at WSDOT, Kimberly worked as the Program Manager/Deputy Director of the Alaskan Way Viaduct (AWV) program. In this capacity, she oversaw, but did not directly work as an environmental staff on the project. She did not direct the environmental work during the last three years. On August 31, 2008, Kimberly left WSDOT to work for Parsons Brinkerhoff on Climate Change issues. It is important to note that in the last three years, she did not directly negotiate any environmental contracts with Parsons Brinkerhoff.

On January 13th, the Governor held a press conference stating that a bored tunnel under the City of Seattle is the recommended solution to the AWV project. The declaration of this preferred option also included an aggressive schedule with design-build elements and early procurement of tunneling equipment. The aggressive schedule, history of controversy, design build project elements, and the need to evaluate potential risks or issues with the current NEPA record, require that the project seek strategic environmental strategic support and advice to minimize schedule risks on this high-profile project.

In addition, the Urban Corridors Office is at the forefront of many NEPA policy issues including (but not limited to) tolling/environmental justice, greenhouse gasses, segmentation, purpose and need, design, streamlining processes, and maintaining a link to FHWA-headquarters.

Though we expect much of Kimberly's time will be spent supporting the AWV team, UCO's projects all have environmental challenges needing strategic support. To maintain UCO's aggressive schedules and remain in compliance with environmental laws and policies, UCO will have to consider and implement changes to the way it currently conducts its environmental business. The streamlining efforts will start within project teams but will also include project partners. Agreements and multi-agency policies will have to be developed implemented quickly. Therefore, some part of Kimberly's time may be spent on other UCO projects as requested.

Kimberly's background with WSDOT processes and staff, relationships with partner agencies and the AG's office, and FHWA at a national level uniquely qualify her to lead the environmental organization through this challenging and critical period of completing NEPA documentation to withstand legal challenge. Not only did she learn how WSDOT operates, but has been able to see the big picture and find positive solutions. She has a demonstrated ability to meet timeframes while maintaining legal sufficiency and schedules. Her legal background is a great asset to UCO because it helps her understand legal risks and seek legal council when necessary.

For the next three to six months, we anticipate that Kimberly's work effort in AWV would be 25% to 50% full time. Once the project's environmental strategy is worked out and the EIS is underway, the level of effort would decrease.

If you need additional justification or clarity in understanding what we are trying to achieve, please give me a call to discuss further.

Ron