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May 29, 2007

Louise Bardy  
Department of Ecology  
Northwest Regional Office  
3190 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5452

**Subject: Weekly Progress Report for Week Ending May 25, 2007  
BNSF Skykomish Levee Zone Interim Action for Cleanup**

Dear Louise,

This weekly progress report is submitted on behalf of BNSF Railway Company (BNSF) per Agreed Order No. DE 3279 for the week ending May 25, 2007 and provides:

- A list of activities that have taken place during the week
- Detailed descriptions of any deviations from the Order and project plans
- Descriptions of all deviations from the schedule and any planned deviations in the upcoming week, and plans for recovering lost time and maintaining compliance with the schedule.

## Activities

- Restoration:
  - DB Davis completed painting of houses and replaced siding on the Mitchell East house that was removed for pouring of concrete.
  - Wilder installed temporary railing on the levee, started demobilization from the site, and relocated Mitchell landscaping rocks and slate to Mitchell property with owner's direction.
  - Shawver's north property was re-graded to pre-construction grade.
  - ¾" gravel was placed between curb and retaining wall.
  - The levee access ramp at 5<sup>th</sup> Street was completed.
  - Received Ecology approval for the Cedar Grove topsoil product
  - Discussions with Town in progress regarding location of north school fence relative to the joint utility trench.

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- The Town asked RETEC to evaluate the possibility of modifying the levee planting plan to reduce the number of trees to preserve river views. Based on RETEC and Glenn Grette's review of the Corps of Engineers Section 404 permit, Biological Evaluation and Levee Planting Plan, we have determined that the number of plants and trees can not be changed significantly at this time without reopening the consultation process. Therefore, Wilder has been directed to order plants for the levee.

- Document Preparation and Reporting:
  - Weekly progress report submitted to Ecology on May 21.
  - Received revised DCAP from Ecology for review.

Activities scheduled for the week of May 29 include the following items:

- Top soil will be imported and placed on residential and school properties.
- Final check with DB Davis.
- Topsoil placement on levee is scheduled for the week of June 4.
- Paving of the road is scheduled for the week of June 11.
- Plants for levee are on order.
- Meeting between Ecology and BNSF 9 am – 4 pm on Friday, June 1 at Ecology's NWRO to finalize the DCAP.

## Deviations

There are no deviations from the Order and project plans to report.

## Schedule

Plants for the levee have been ordered. Due to the delay in ordering the plants to accommodate the Town's desire to modify the planting plan, it is possible that the plants will not arrive in time for planting to be completed by June 30, 2007 per Exhibit E of the Agreed Order. We will continue to keep Ecology apprised of the planting schedule.

Sincerely yours,



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Angie Thomson, Lauren Stensland, Hillary Johnson – Enviroissues  
Bruce Sheppard – BNSF  
Chris Yates, Clint Stanovsky – Town of Skykomish  
Craig Trueblood – K&L Gates  
Daryl Petrarca – AdaPT  
David Carson – Bell & Ingram, P.S.  
Desiree Gould – Skykomish School Superintendent  
Gary West – Skykomish Resident  
John Robinson – US Forest Service  
Michael Moore – Skykomish Environmental Coalition  
Ron Timm – Ecology  
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