



8/27/2025

Letter No. 224  
BY-CRE-03362

Evelyn Pao, P.E., Project Director  
Washington State Department of Transportation  
18911 N Creek Pkwy S, Suite150  
Bothell, WA 98011

Project: I-405, Brickyard to SR 527 Improvement Project  
Contract No: 009727

**Subject: Notice of WSDOT-Initiated Change – Juanita Creek Temporary Stream Diversion & Use of Angular Rock**

Dear Ms. Pao:

It has come to Skanska's attention that our installation of Class C rock material as approved for use in the Juanita Creek Overwinter Bypass Plan for Permit No. 2021-4-857+01(APP ID:26582) has been rejected. We are in receipt of written notification to replace the Class C angular rock with rounded rock from Washington Department of Fish and Wildlife (WDFW) stated as such by Jesse Dykstra in an email to WSDOT on Tuesday, August 19<sup>th</sup>, 2025, 4:24 PM:

*After review, the use of angular rock at this location will not be permitted. While we recognize the intent to provide stability, the temporary nature of this project does not justify the level of interlocking protection associated with angular materials. Erosion is expected at this site regardless of material type, and the short-term duration of the work does not warrant heavy-duty erosion control measures.*

*Placement of rounded rock will meet the necessary functional needs for this temporary installation while maintaining compliance with permit provisions. Rounded material also better supports habitat suitability, minimizes potential risks to fish passage, and helps preserve natural stream processes. For these reasons, rounded rock must be used in place of angular rock.*

The issue at hand is not one of installing non-approved rock, but rather that Skanska is now being directed to remove rock materials that were both specified for use and approved. The requested removal and replacement of rounded rock material deviates from our approved Temporary Stream Diversion Plan (TSDP) and will require HPA modification and submittals to match.

Skanska and our designer followed the hierarchy of design documents provided for by the contract in 2.30.3.1, *"The WSDOT Hydraulics Manual is the primary stream design manual. The following reference documents are accepted by WSDOT for use on the*



*Project. If any conflicts occur in design criteria, the WSDOT Hydraulics Manual supersedes”.*

Skanska’s designer, Josh Earl, P.E. views the use of angular rock as critical to mitigating flow velocities as stated in One Atlas’s Technical Memorandum submitted to WSDOT and WDFW dated August 8, 2025.

*Site-specific hydraulic conditions predicted stream velocity at critical flood stage and expected scour potential drove the use of angular rock for the energy dissipation system at the downstream end of the overwinter pipe. The design follows guidance under Section 3-4.7 “Energy Dissipators” of the WSDOT Hydraulics Manual M 23-03.11 which states that rock for erosion and scour protection (RESP) Class C is used for outlet velocities greater than 15 feet per second.*

From a partnering standpoint, Skanska is proceeding with the HPA modification and required submittals; however, we respectfully request that WSDOT retract NCI-009727-00362.001, as Skanska has provided a competent TSDP design in accordance with contract requirements, and we request that WSDOT promptly issue an Owner-Initiated Change (OIC) to address all associated impacts resulting from the replacement.

At this time, Skanska reserves its rights to just compensation for the recovery of all cost and time impacts associated with this change of rock materials in accordance with the contract and applicable law.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Prendergast", written over a horizontal line.

Patrick Prendergast, Vice President

Skanska USA Civil  
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