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ENVIRONMENTAL
HEARINGS OFFICE

POLLUTION CONTROL HEARINGS BOARD
FOR THE STATE OF WASHINGTON

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6	AIRPORT COMMUNITIES COALITION,)	
7)	PCHB No. 01-160
8	Appellant,)	
9)	DECLARATION OF RACHAEL PASCHAL
10	CITIZENS AGAINST SEA-TAC)	OSBORN IN SUPPORT OF ACC'S
11	EXPANSION,)	MOTION TO REDACT PRE-FILED
12)	TESTIMONY OF PAUL FENDT
13	Intervenor/Appellant,)	
14)	
15	v.)	
16)	
17	STATE OF WASHINGTON,)	
18	DEPARTMENT OF ECOLOGY; and)	
19	THE PORT OF SEATTLE,)	
20)	
21	Respondents.)	
22)	

Rachael Paschal Osborn declares as follows:

1. I am attorney of record for Airport Communities Coalition (ACC). I have personal knowledge of the matters set forth below and am competent to be a witness herein.
2. On March 27, 2002 Paul Fendt was produced as a witness in the hearing on the merits in this matter. I cross-examined Mr. Fendt on behalf of ACC. Prior to direct examination, I asked that certain portions of Mr. Fendt's testimony, described in the accompanying motion, be redacted from the record. The parties

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2 were directed to confer with each other and with Administrative Law Judge Eric
3 Lucas.

- 4 3. On March 29, 2002, I reminded Mr. Gil Reavis, counsel for the Port of Seattle,
5 that we needed to resolve the issue of redaction of Mr. Fendt's testimony. I
6 indicated to him the sentence and exhibit ACC proposed for redaction. He stated
7 he would talk with Mr. Fendt and get back to me.
8
9 4. On April 3, 2002, I sent an e-mail to Mr. Reavis asking again that he inform me of
10 the Port's position concerning the proposed redaction.
11
12 5. I received no response until April 8, 2002, when I was contacted by Mr. Stephen
13 Tan of Mr. Reavis' office. Mr. Tan indicated that Mr. Reavis had left on vacation
14 and that the Port believed the material proposed for redaction to fall outside the
15 scope of the Board's order redacting material not produced prior to February 28,
16 2002.

17 I declare under penalty of perjury under the laws of the State of Washington that the
18 foregoing is true and correct.

19 DATED this 10th day of April, 2002, at Spokane, Washington.

20
21 

22 Rachael Paschal Osborn

23
24
25 **AR 001906**

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