

RECEIVED
MAR 12 2002

ENVIRONMENTAL
HEARINGS OFFICE

1
2
3
4
5 **BEFORE THE POLLUTION CONTROL HEARINGS BOARD**
6 **IN AND FOR THE STATE OF WASHINGTON**

7 AIRPORT COMMUNITIES
8 COALITION,

9 Appellant,

10 v.

11 STATE OF WASHINGTON,
12 DEPARTMENT OF ECOLOGY; and
13 PORT OF SEATTLE,

14 Respondents.

PCHB No. 01-160

DECLARATION OF RAY HELLWIG

15 Ray Hellwig, declares as follows:

16 1. I am a Regional Director employed by the Department of Ecology in the
17 Northwest Regional Office. I have personal knowledge of the matters contained herein and I
18 am competent to testify thereto.

19 2. Attached hereto is a true and correct copy of a transcribed voicemail message
20 received from Tom Luster on or about September 17, 2001.

21 3. I did not respond to this message.

22 I declare under penalty of perjury under the laws of the state of Washington that the
23 foregoing is true and correct.

24 DATED this 8th day of March 2002.

25 
26 RAY HELLWIG

AR 002777

RECEIVED
MAR 11 2002

ENVIRONMENTAL
HEARINGS OFFICE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**BEFORE THE POLLUTION CONTROL HEARINGS BOARD
IN AND FOR THE STATE OF WASHINGTON**

AIRPORT COMMUNITIES
COALITION,

Appellant,

v.

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY; and
PORT OF SEATTLE,

Respondents.

PCHB No. 01-160

DECLARATION OF RAY HELLWIG

Ray Hellwig, declares as follows:

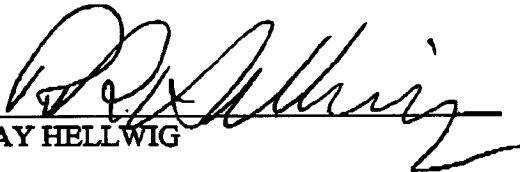
1. I am a Regional Director employed by the Department of Ecology in the Northwest Regional Office. I have personal knowledge of the matters contained herein and I am competent to testify thereto.

2. Attached hereto is a true and correct copy of a transcribed voicemail message received from Tom Luster on or about September 17, 2001.

3. I did not respond to this message.

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

DATED this 8th day of March 2002.


RAY HELLWIG

NOTE TO FILE:

Transcribed 3/8/02 by Diana MacDonald from voicemail message.

Message to Ray Hellwig from Tom Luster:

How are you? I hope you are doing alright. With all the goings on I know this pales in comparison with everything else that has happened in the last couple days but I wanted to let you know I've been asked by the ACC to weigh in on the 401 as I'd anticipated and I imagined they anticipated as well. And so I wrote a declaration for them just on the regulatory requirements and that will likely be a part of their package of appeal information going in very soon. Don't imagine this is a complete surprise to you but I wanted to give you a heads up that I'm involved to some degree I guess and you'll probably see the whole package fairly soon. I'm not sure what the dead line is exactly. Anyway, I just wanted to give you a heads up and also hope that everyone you know is safe and sound with everything going on. If you have any questions, I'm at 415-904-6093. Thanks. Bye.

AR 002779

Exhibit 1

RECEIVED

MAR 11 2002

ENVIRONMENTAL
HEARINGS OFFICE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON**

AIRPORT COMMUNITIES COALITION,

PCHB No. 01-160

Appellant,

CERTIFICATE OF SERVICE

CITIZENS AGAINST SEA-TAC
EXPANSION,

Intervenor/Appellant,

v.

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY; and
PORT OF SEATTLE,

Respondents.

Pursuant to RCW 9A.72.085, I certify that on March 11, 2002, I caused to be served, Ecology's Reply in Support of Motion in Limine Re: WAC 371-08-475(7), Declaration of Ray Hellwig, Declaration of Joan M. Marchioro and Declaration of Thomas J. Young, and this Certificate of Service, in the above-captioned matter to be served upon the parties herein, as indicated below:

Peter J. Eglick
Kevin L. Stock
Michael P. Witek
HELSELL FETTERMAN LLP
1500 Puget Sound Plaza
1325 Fourth Avenue
Seattle, WA 98101-2509

- U.S. Mail
- State Campus Mail
- Hand Delivered
- Overnight Express
- By Fax: 206.340.0902

AR 002780

1 Rachael Paschal Osborn
Attorney at Law
2 2421 West Mission Avenue
Spokane, WA 99201

U.S. Mail
 State Campus Mail
 Hand Delivered
 Overnight Express
 By Fax: 509.328.8144

4 Linda J. Strout, General Counsel
Traci M. Goodwin, Senior Port Counsel
5 Port of Seattle
2711 Alaskan Way (Pier 69)
6 P.O. Box 1209
Seattle, WA 98111

U.S. Mail
 State Campus Mail
 Hand Delivered
 Overnight Express
 By Fax: 206.728.3205

8 Roger A. Pearce
Steven G. Jones
9 FOSTER, PEPPER & SHEFELMAN
1111 3rd Avenue, Suite 3400
Seattle, WA 98101

U.S. Mail
 State Campus Mail
 Hand Delivered
 Overnight Express
 By Fax: 206.749.1997

11 Gillis E. Reavis
BROWN REAVIS & MANNING PLLC
1191 Second Avenue, Suite 2200
12 Seattle, WA 98101

U.S. Mail
 State Campus Mail
 Hand Delivered
 Overnight Express
 By Fax: 206.292.6301

14 Jay J. Manning
BROWN REAVIS & MANNING PLLC
421 S. Capitol Way, Suite 303
15 Olympia, WA 98501

U.S. Mail
 State Campus Mail
 Hand Delivered
 Overnight Express
 By Fax: 360.786.1835

17 Richard A. Poulin
SMITH & LOWNEY
2317 E. John Street
18 Seattle, WA 98112

U.S. Mail
 State Campus Mail
 Hand Delivered
 Overnight Express
 By Fax: 206.860.4187

20 the foregoing being the last known business addresses.

21 I certify under penalty of perjury under the laws of the state of Washington that the
22 foregoing is true and correct.

23 DATED this 11th day of March, 2002, in Olympia, Washington.

24 
TANYA M. ROSE
25 Legal Assistant

AR 002781