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**Pre-Filed Testimony
of
Sally Nelson**

**Submitted on behalf of Appellant
Airport Communities Coalition**

**PCHB No. 01-160
*ACC & CASE v. Dept. of Ecology & Port of Seattle***

I am a member of the City Council of Burien, Washington. I have also served in the past as Mayor of Burien and as a member of the Airport Communities Coalition Executive Committee. The purpose of this testimony is to introduce ACC to the Board and to put into perspective for the Board ACC's reasons for participating in this review.

The Airport Communities Coalition is an entity established by interlocal agreement and composed of the Cities of Burien, Des Moines, Federal Way, Normandy Park, and Tukwila, and the Highline School District, with a combined population of over 150,000 citizens. ACC was formed for the purpose of, *inter alia*, participating in the governmental review process related to the Port of Seattle's proposed third runway and related Master Plan developments ("Third Runway Project") at Seattle-Tacoma International Airport ("Sea-Tac Airport" or STIA"). The ACC municipalities and school district would be particularly affected by construction of the Third Runway Project because they are the communities closest to Sea-Tac Airport (excluding the City of SeaTac itself, which receives millions of dollars a year from the Port and supports the Third Runway Project).

The ACC municipalities have particular stewardship responsibilities for the streams and watersheds within their boundaries, including Des Moines Creek, Miller Creek, Walker Creek, and Gilliam Creek. ACC and its members have a vital interest in ensuring that the Port's proposed project complies with the requirements of the Clean Water Act, the Coastal Zone Management Act and state water quality laws. The value of these resources to the communities is illustrated by how we use them.

For example, over fifty percent of the Miller Creek drainage basin is within our city's boundaries. Burien devotes considerable resources to protection and enhancement of area streams and watersheds. The headwaters of Walker Creek, a tributary of Miller Creek which provides low summer flow for salmon habitat in Walker and Miller Creeks, are located within our city's boundaries.

The mouth of Des Moines Creek is located in Des Moines Beach Park, a major focus for the community. The park includes a marina, senior center and numerous historical buildings, and is enjoyed by South King County residents as a whole for its water-oriented amenities.

As ACC's original Notice of Appeal to this Board, filed in August, describes, the Normandy Park Community Recreation Center sits at the mouth of Miller Creek. This community beach parcel includes a community club building, tennis courts, swim club, baseball fields, boat launch and picnic areas on the beach and near the streams. Miller and Walker Creeks flow around and through the community center property, providing a beautiful natural setting for community activities. From an early age and through their school years, children are taught about and enjoy the streams and lakes and participate in field trips and stream

restoration projects on them. Over the years our community groups have undertaken significant efforts to protect and enhance these streams and make them fish-friendly. Many residents fish in the streams and lakes. Streamflows to support area creeks are therefore a concern for all ACC cities.

I am aware that some of the statements submitted to this Board in opposition to ACC's request for a stay, including statements by Department of Ecology personnel, suggest that the Port's proposal should be viewed as a stream restoration project, reversing supposed neglect by our communities. This presents an inaccurate and distorted picture to the Board. The homes and neighborhoods whose elimination the Port and Ecology cite as elements of the "restoration" project were mature rural/suburban communities. These should not be confused with the gashes across the environment which new plats in other locations may sometimes create. The neighborhoods' vegetation is mature, the houses by and large modest, and the lots not intensely developed. These mature neighborhoods were living in supportive co-existence with the area streams and wetlands. Their destruction for the Port's massive project is not synonymous with watershed restoration.

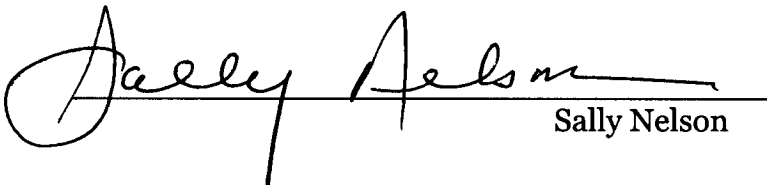
It is my belief that Ecology's decision was driven by politics, rather than science, particularly after October, 2000, when Tom Luster, the Department's senior staff expert on Section 401 matters, was removed abruptly from the process. The Port's subsequent submittal of its (third) Section 401 application and its approval by Ecology despite numerous unanswered questions and yet-to-be-submitted analyses raise more questions in the public's mind than they

resolve concerning whether there really is reasonable assurance that the Port project will not degrade water quality.

ACC scientists -- and Tom Luster -- have testified in writing to the Board that the flaws in the first two applications were not cured in the third, and that the difference appears to be in how Ecology has viewed the application, applied the applicable standards for 401 certification, and allowed the Port to defer resolution of issues which have been outstanding now for more than three years.

While ACC cities have been characterized as NIMBYs and our concerns denigrated on this basis, the label does not ring true. We have lived with Sea-Tac Airport for many years and endured past impositions with more equanimity than many could muster. The issue here is whether the Port's plan for an extraordinarily intrusive expansion, involving massive alterations to the natural environment, meets the state standard requiring reasonable assurance that water quality standards will not be violated. Because of our past experience, we engaged the most reputable scientists available to advise on this question. Their responses have been uniformly that the Port has not done its homework and that Ecology, since Tom Luster's departure, has not required it to do so. On this basis, our cities ask this Board to reverse the Ecology certification.

DATED this 22 day of February, 2002


Sally Nelson