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**BEFORE THE POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON**

AIRPORT COMMUNITIES
COALITION,

Appellant,

CITIZENS AGAINST SEA-TAC
EXPANSION,

Intervenor/Appellant,

v.

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

Respondents.

PCHB No. 01-160

RESPONDENT DEPARTMENT OF
ECOLOGY'S FINAL LIST OF
WITNESSES AND EXHIBITS

I. INTRODUCTION

The State of Washington, Department of Ecology (Ecology), by and through its attorneys, Joan M. Marchioro, Thomas J. Young, and Jeff B. Kray, Assistant Attorneys General, submits this final list of witnesses and exhibits as indicated below.

II. WITNESSES

AR 003607

1. Ann Kenny, Department of Ecology, Northwest Regional Office;
2. Erik Stockdale, Department of Ecology, Northwest Regional Office;
3. Kevin Fitzpatrick, Department of Ecology, Northwest Regional Office;

ORIGINAL

4. Katie Walter, Shannon & Wilson;
5. Kelly Whiting, King County Department of Natural Resources;
6. Dave Garland, Department of Ecology, Northwest Regional Office;
7. Gordon White, Department of Ecology, Headquarters;
8. Ching Pi Wang, Department of Ecology, Northwest Regional Office;
9. Chung Yee, Department of Ecology, Northwest Regional Office;
10. John Drabek, Department of Ecology, Headquarters;
11. Ed O'Brien, Department of Ecology, Headquarters.

III. EXHIBITS

Ecology intends to offer the following exhibits at hearing:

1. Comprehensive Stormwater Management Plan (Volumes 1-4), Seattle-Tacoma International Airport, Master Plan Update Improvements: Prepared for Port of Seattle, STIA, by Parametrix, Inc. December, 2000;
2. Comprehensive Stormwater Management Plan Replacement Pages for Volumes 1-4, prepared for Port of Seattle by Parametrix, Inc. dated July 2001;
3. Floyd and Snider, Inc. meeting notes:
 - A. Final Draft Meeting Notes - October 2, 2000
 - B. Final Draft Meeting Notes - October 6, 2000
 - C. Final Draft Meeting Notes - October 10, 2000
 - D. Final Draft Meeting Notes - October 13, 2000
 - E. Final Draft Meeting Notes - October 20, 2000
 - F. Final Draft Meeting Notes - October 24, 2000
 - G. Final Draft Meeting Notes - October 31, 2000
 - H. Final Draft Meeting Notes - November 7, 2000
 - I. Final Draft Meeting Notes - November 13, 2000
 - J. Final Draft Meeting Notes - November 29, 2000

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- 1 K. Meeting Notes Summary-Draft for Review – October 2-November 29,
2 2000
3 L. Final Draft Meeting Notes – December 8, 2000
4 M. Meeting Notes Summary – October 2–December 8, 2000
5 N. “Wetlands Issues Only” Meeting Notes Summary – October 2–
6 December 8,2000
7 O. Final Draft Meeting Notes – March 9, 2001
8 P. Draft Meeting Notes-Technical Meeting – March 14, 2001
9 Q. Draft Meeting Notes-Technical Meeting – March 16, 2001
10 R. Draft Meeting Notes-Technical Meeting – March 26, 2001
11 S. Draft Meeting Notes-Low Flow Analysis – April 4, 2001
12 T. Revised Draft Meeting Notes-Technical Meeting – April 9, 2001
13 U. Final Draft Meeting Notes-Technical Meeting – April 16, 2001
14 V. Final Draft Meeting Notes-Management Meeting – April 17, 2001
15 W. Final Draft Meeting Notes-Technical Meeting – April 23, 2001
16 X. Final Draft Meeting Notes-Low Flow Analysis – April 25, 2001
17 Y. Final Draft Meeting Notes-Technical Meeting – May 1, 2001
18 Z. Final Draft Meeting Notes-Technical Meeting – May 7, 2001
19 AA. Final Draft Meeting Notes-Low Flow Analysis – May 9, 2001
20 BB. Final Draft Meeting Notes-Technical Meeting – May 14, 2001
21 CC. Final Draft Meeting Notes-Technical Meeting – May 25, 2001
22 DD. Final Draft Meeting Notes-Technical Meeting – June 5, 2001
23 EE. Final Meeting Notes-Low Flow Analysis – June 14, 2001
24 FF. Final Draft Meeting Notes-Technical Meeting – June 18, 2001
25 GG. Final Meeting Notes-Low Flow Analysis – June 25, 2001
26 HH. Final Draft Meeting Notes-Technical Meeting – June 25 and 27, 2001

- 1 II. Final Draft Meeting Notes-Technical Meeting – July 5, 2001
2 JJ. Final Meeting Notes-Low Flow Analysis – July 9, 2001
3 KK. Final Meeting Notes-Low Flow Analysis – July 16, 2001
4 LL. Final Meeting Notes-Low Flow Analysis – July 24, 2001
5 MM. Final Meeting Notes-Low Flow Analysis – October 30, 2001;
6 4. Low Streamflow Analysis, Port of Seattle, STIA, prepared by Earth Tech, Inc.,
7 December 2000;
8 5. Low Streamflow Analysis and Summer Low Flow Impact Offset Facility
9 Proposal, Port of Seattle, STIA, prepared by Parametrix, Inc., December 2001;
10 6. Sea-Tac Runway Fill Hydrologic Studies Report prepared for Department of
11 Ecology by Pacific Groundwater Group, Ecology, and Environment and Earth Tech, Inc. dated
12 June 19, 2000;
13 7. Assessment of the Existing and Future Hydrologic Divide of Miller, Walker,
14 and Des Moines Creeks after Construction of Master Plan Update Projects at Seattle-Tacoma
15 International Airport prepared for Port of Seattle by Parametrix, Inc. dated July 2001;
16 8. Letter dated July 23, 2001 from Keith Smith, Port of Seattle, to Ann Kenny,
17 Ecology, summarizing Port of Seattle's evaluation of summer low streamflow impacts in Des
18 Moines, Miller and Walker Creeks;
19 9. Letter dated July 25, 2001 from Keith Smith, Port of Seattle, to Ann Kenny,
20 Ecology, providing clarifications to letter of July 23, 2001 regarding low streamflow impacts;
21 10. Low Flow Analysis Impact Offset Facility Proposal and attachments prepared
22 for the Port of Seattle by Parametrix, Inc. dated July 23, 2001;
23 11. Letter dated July 31, 2001 with attached conceptual drawings for Low Flow
24 Impact Offset Facility Proposal;
25
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1 12. Memorandum from Dave Garland to Ann Kenny dated August 7, 2001,
2 regarding review of Low Flow Analysis, Flow Impact Offset Facility Proposal, Port of Seattle,
3 Parametrix, Inc., July 2000;

4 13. Final Natural Resource Mitigation Plan and Appendices A through H, STIA,
5 prepared for Port of Seattle by Parametrix, Inc. dated December 2000;

6 14. Final Natural Resource Mitigation Plan, STIA, prepared for Port of Seattle by
7 Parametrix, Inc., November 2001;

8 15. Wetland Delineation Report, Master Plan Update Improvements, STIA,
9 prepared for the Port of Seattle by Parametrix, Inc. dated 2000;

10 16. Wildlife Hazard Mitigation Plan, developed by Seattle-Tacoma International
11 Airport in Cooperation with U.S. Department of Agriculture, August 2000;

12 17. Wetland Functional Assessment and Impact Analysis, Master Plan Update
13 Improvements, STIA, prepared for Port of Seattle by Parametrix, Inc. dated December 2000;

14 18. Wetland Functional Assessment and Impact Analysis, Master Plan Update
15 Improvements, STIA, prepared for Port of Seattle by Parametrix, Inc. dated December 2001;

16 19. Letter to Grant Beck, Director of San Juan County Permit Center, from Sarah
17 Suggs, Department of Ecology, regarding Ayer property on Orcas Island, December 4, 2001;

18 20. Report: Avoidance of Wetland Impacts, Temporary Stormwater Pond A,
19 Sea-Tac Third Runway, prepared for HNTB and the Port of Seattle by Hart Crowser, Inc. dated
20 June 18, 2001;

21 21. Letter of transmittal from Hart Crowser to Jim Kelley, Parametrix, Inc., with
22 four attached figures showing revised plan and sections for Borrow Area 3 wetland protection
23 swale;

24 22. Revised Auburn Wetland Mitigation Planting Plan and Grading Plan received
25 by Ecology June 29, 2001;

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1 23. Fax transmittal of Final Performance Standards (Tables 7.7-1, 5.1-7, 5.2-12,
2 5.3-6) from Jim Kelley, Parametrix, Inc. to Ann Kenny, Ecology (hard copy received July 12,
3 2001);

4 24. Water Quality Guidelines for Wetlands, Washington State Department of
5 Ecology, Publication No. 96-06 (April 1996);

6 25. How Ecology Regulates Wetlands, Washington State Department of Ecology,
7 Publication No. 97-112 (March 1998);

8 26. Methods for Assessing Wetland Functions Volume 1: Riverine and
9 Depressional Wetlands in the Lowlands of Western Washington, Washington State
10 Department of Ecology Publication No. 99-115 and 99-116 (August 1999);

11 27. Washington State Wetland Mitigation Evaluation Study Phase 1: Compliance,
12 Washington State Department of Ecology, Publication No. 00-06-016 (June 2000);

13 28. Washington State Wetland Mitigation Evaluation Study Phase 2: Evaluating
14 Success, Washington State Department of Ecology (publication pending);

15 29. Azous, A. and R. Horner, eds. 1997. Wetlands and Urbanization, Implications
16 for the Future. Final report of the Puget Sound Wetlands and Stormwater Management
17 Research Program;

18 30. FAA Advisory Circular 150/5200-33 "Hazardous Wildlife Attractants on or
19 Near Airports.";

20 31. Booth, D. and L. Reinelt. 1993. Consequences of Urbanization on Aquatic
21 Systems - Measured Effects, Degradation Thresholds, and Corrective Strategies. Watersheds
22 '93, A National Conference on Watershed Management. March 21-24, 1993, Alexandria,
23 Virginia, pp. 545-550;

24 32. Booth, D. and C.R. Jackson, 1997, Urbanization of Aquatic Systems:
25 Degradation Thresholds, Stormwater Detention, and the Limits of Mitigation. J. Am. Wat. Res.
26 Assoc. 33(5): 1077-1090;

AR 003612

1 33. Hart Crowser Groundwater Monitoring Data for the North Safety Area, West
2 Wall Area, Lake Reba Area, South Wall Area, Borrow Area 1, Borrow Area 3, and Borrow
3 Area 4. Data collected at various times and locations 1999-2001;

4 34. Wetland Photographs and Maps, Master Plan Update Improvements, STIA,
5 prepared for Port of Seattle by Parametrix, Inc. dated December 2000;

6 35. Wetland Photographs and Maps, Master Plan Update Improvements
7 Seattle-Tacoma International Airport, Parametrix, Inc. dated May 2001;

8 36. Transmittal form and attached wetland hydrology monitoring data from Paul
9 Fendt, Parametrix, Inc. to Ann Kenny, Ecology dated September 6, 2001;

10 37. 401 Water Quality Certification and RCW 90.48 Order issued August 10, 2001;

11 38. Amended 401 Water Quality Certification and RCW 90.48 Order issued
12 September 21, 2001;

13 39. Joint Aquatic Resource Permit Application dated October 25, 2000 submitted to
14 the U.S. Army Corps of Engineers;

15 40. Letter from Pam Bissonnette, King County Department of Natural Resources to
16 Ann Kenny, Ecology dated February 22, 2001 regarding the County's review of the Port of
17 Seattle's Comprehensive Stormwater Management Plan;

18 41. Letter from Pam Bissonnette, King County Department of Natural Resources to
19 Ann Kenny, Ecology dated August 3, 2001 regarding the County's review of the Port of
20 Seattle's Comprehensive Stormwater Management Plan (revised July 2001);

21 42. Letter from Pam Bissonnette, King County Department of Natural Resources to
22 Ann Kenny, Ecology dated August 3, 2001 regarding the County's review of the Port of
23 Seattle's Low Flow Impact Analysis-Low Flow Impact Facility Proposal (July 2001);

24 43. Memorandum from Ching-Pi Wang, Ecology, to Ann Kenny, Ecology, dated
25 June 22, 2001 regarding TCP recommendations for 401 Certification;

26 **AR 003613**

1 44. Port of Seattle's Draft Technical Memorandum: Analysis of Preferential
2 Ground Water Flow Paths Relative to Proposed Third Runway, Seattle-Tacoma International
3 Airport prepared for the Port of Seattle by Associated Earth Sciences, Inc. dated June 19, 2001;

4 45. Letter from James Lynch of Stoel Rives, LLP to Ken Berg, U.S. Fish and
5 Wildlife Service dated August 10, 2001 with attached Embankment Seepage Monitoring Plan;

6 46. Letter from Ken Berg, U.S. Fish and Wildlife Service, to James Lynch, Stoel
7 Rives dated December 20, 2001 with comments regarding Embankment Seepage Monitoring
8 Plan;

9 47. Letter from Ken Berg, U.S. Fish and Wildlife Service, to Lowell Johnson,
10 Federal Aviation Administration dated May 22, 2001 transmitting the Biological Opinion of
11 the U.S. Fish and Wildlife Service regarding the effects of the proposed Third Runway;

12 48. Letter from Donna Darm, National Marine Fisheries Service, to Lowell
13 Johnson, Federal Aviation Administration dated May 31, 2001, concurring with the
14 conclusions of the Biologic Assessment;

15 49. Letter from Keith Smith, Port of Seattle, to Ann Kenny, Ecology, dated
16 December 27, 2001 with enclosed stormwater monitoring reports for months of Sept., Oct., and
17 Nov. submitted in compliance with section K.6 of the 9/21/01 Water Quality Certification;

18 50. Third Runway Embankment Fill Seepage and Groundwater Monitoring Plan,
19 401 Certification Condition E.3, prepared by the Port of Seattle, dated November 2001;

20 51. Memorandum from Ching-Pi Wang, Ecology, to Ann Kenny, Ecology dated
21 January 23, 2002 regarding review of Third Runway Embankment Fill Monitoring Plan;

22 52. Letter from Elizabeth Leavitt, Port of Seattle, to Ann Kenny, Ecology, dated
23 October 2, 2001 with attachment, "Proposed Construction BMPs to Prevent Interception of
24 Contaminated Ground Water by Utility Corridors," submitted in compliance with 401
25 condition F.1;

26 **AR 003614**

1 53. Report: Miller Creek Riparian Corridor and Instream Enhancement Project,
2 Wetland A-17 Restoration, Seattle-Tacoma International Airport Master Plan Updates,
3 prepared for Port of Seattle by Parametrix, Inc., dated November 2001;

4 54. Monitoring Data: Pre-Construction Hydrologic Monitoring Data, STIA Master
5 Plan Update Improvements, prepared for Port of Seattle by Parametrix, Inc., January 3, 2002 in
6 compliance with 401 conditions D.1.g, D.5 and D.6.g;

7 55. Technical memorandum, "Supplemental Information Regarding Wetlands" to
8 Muffy Walker, U.S. Army Corps of Engineers from Jim Kelley, Parametrix, Inc. dated January
9 23, 2002;

10 56. Transmittal from Jim Kelley, Parametrix, Inc. to Ann Kenny, Ecology, dated
11 January 9, 2002 containing revised Section 8-References, Errata Sheet, revised Table 3.1-4;

12 57. Email from Jim Kelley, Parametrix, Inc. to Ann Kenny, Ecology dated
13 December 19, 2001 with attached matrix describing how November 2001 NRMP was revised
14 to address conditions in the 401 certification;

15 58. Email from Elizabeth Leavitt, Port of Seattle, to Ann Kenny, Ecology dated
16 October 23, 2001 with attached soil specifications for certain types of fill material proposed to
17 be used in the third runway embankment for review by Ecology;

18 59. Email from Gus Ordonez, Ecology, to Ann Kenny, Ecology dated February 7,
19 2001 with attached memorandum from Jerald LaVassar dated February 7, 2001 to Tom Luster
20 evaluating MSE wall;

21 60. Email from Ann Kenny, Ecology, to Andrea Grad and Peter Eglick, Helsell
22 Fetterman, dated February 18, 2001 with response to inquiries regarding how Ecology would
23 regulate the MSE wall, includes Jerald LaVassar memo;

24 61. Email from Jerald LaVassar, Ecology, to Ann Kenny, Ecology, dated February
25 26, 2001 regarding Ecology's determination that the MSE wall is not a dam that would be
26 regulated under state dam safety laws;

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1 62. Fax transmittal from Elizabeth Leavitt, Port of Seattle, to Ann Kenny, Ecology,
2 dated January 11, 2001 with revised Coastal Zone Management Consistency Statement signed
3 by Elizabeth Leavitt on January 10, 2001;

4 63. Letter from Jeannie Summerhays, Ecology, to Tom Mueller, USACOE, and
5 Elizabeth Leavitt, Port of Seattle, dated March 26, 2001 regarding three month status letter
6 regarding request for Coastal Zone Management Consistency Act Statement of January 10,
7 2001;

8 64. Letter from Maggie Corbin, Port of Seattle, to Ann Kenny, Ecology, dated
9 March 21, 2001 attaching copy of Port's synthetic minor permit issued by the Puget Sound
10 Clean Air Agency on September 21, 1999;

11 65. Fax transmittal from Ralph Wessels, Port of Seattle, to Ann Kenny, Ecology,
12 dated August 9, 2001 with attached copy of Port's Stormwater General Permit for Construction
13 Activity No. SO3-004191 for the Auburn Wetland Mitigation Project issued by Ecology on
14 April 4, 2001;

15 66. Fax transmittal to Tom Luster and Erik Stockdale, Ecology, dated August 11,
16 2000 with attached copies of Shoreline Permit Exemption Letter issued by the City of Auburn
17 to the Port of Seattle for the Auburn Wetland Mitigation Site on August 9, 2000 and Hydraulic
18 Project Approval No. 00-E6607-01 issued to the Port of Seattle for the Auburn Wetland
19 Mitigation Site on July 28, 2000;

20 67. Letter to Tom Mueller, USACOE from Jeannie Summerhays, Ecology and
21 Elizabeth Leavitt, Port of Seattle, dated June 21, 2001 informing Corps of Ecology and the
22 Port's mutual agreement to extend the six-month CZM review deadline to December 27, 2001;

23 68. King County Surface Water Design Manual 1998;

24 69. Department of Ecology Storm Water Management Manual for Western
25 Washington, Volume V, Run-Off Treatment BMPs, September 2001 (excerpts);
26

AR 003616

1 70. Department of Ecology Stormwater Management Manual for Western
2 Washington, Volume I, Minimal Technical Requirements and Site Planning, August 2001
3 (excerpts);

4 71. National Pollutant Discharge Elimination System Waste Discharge Permit No.
5 WA-002465-1, Port of Seattle, STIA, modified May 29, 2001;

6 72. National Pollutant Discharge Elimination System Waste Discharge Permit No.
7 WA-002465-1, Port of Seattle, STIA, Fact Sheet;

8 73. Port of Seattle, STIA, NPDES Permit No. WA-002465-1, Addendum to Fact
9 Sheet, Major Modification;

10 74. EPA memorandum from Robert Percisepe regarding Interim Permitting
11 Approach for Water Quality Based Effluent Limitations in Storm Water Permits;

12 75. Department of Ecology Federal Permits Team Desk Manual, January 24, 2000;

13 76. Interim Guidance on Determination and Use of Water Effects Ratios for Metals,
14 U.S. Environmental Protection Agency, February 1994;

15 77. Department of Ecology Water Quality Program Permit Writer's Manual,
16 Publication No. 92-109, revised January 2001 (excerpts);

17 78. Water Effect Ratio Screening Study at STIA, Toxicity Evaluation of Site Water,
18 prepared for Port of Seattle by Parametrix, February 1999;

19 79. Stormwater Whole Effluent Toxicity (WET) Testing at STIA, Final Report
20 prepared by Scott Tobiason, May 2000;

21 80. Final Environmental Impact Statement for Proposed Master Plan Update
22 Development Actions at STIA dated February 1, 1996;

23 81. Final Supplemental Environmental Impact Statement for Proposed Master Plan
24 Update Actions at STIA dated May 13, 1997;

25
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AR 003617

1 82. SEPA Addendum to Final Environmental Impact Statement and Final
2 Supplemental Impact Statement for Proposed Master Plan Update Development Actions at
3 STIA, dated January 24, 2000;

4 83. Port of Seattle Addendum to the Final Supplemental Environmental Impact
5 Statement for the Master Plan Update Development Actions at STIA, Auburn Wetland
6 Mitigation Project, May 5, 2000;

7 84. Reevaluation of Airport Activity and Changes to the Master Plan Update at
8 STIA, July 20, 2001;

9 85. Addendum No. 4 to STIA Master Plan Final EIS and FSEIS Borrow Source
10 Areas 3 and 4 and the Federal Aviation Administration's Incorporation of NEPA reevaluation
11 document, Port of Seattle SEPA No. 01-016, August 10, 2001;

12 86. Port of Seattle Annual Stormwater Monitoring Report for STIA, September
13 2001;

14 87. Port of Seattle Annual Stormwater Monitoring Report for STIA, September
15 2000;

16 88. Port of Seattle Annual Stormwater Monitoring Report for STIA, September
17 1999;

18 89. Port of Seattle Annual Stormwater Monitoring Report for STIA, September
19 1998;

20 90. Port of Seattle Annual Stormwater Monitoring Report for STIA, September
21 1997;

22 91. Letter from Governor Gary Locke to the Honorable Rodney Slater, Secretary
23 U.S. Department of Transportation, dated June 30, 1997 regarding Port of Seattle Master Plan
24 Update for STIA;

25 92. Water Quality and Shorelands and Environmental Assistance Programs Joint
26 Policy Adopting Supplemental Treatment as a Best Management Practice, dated July 2001;

1 93. Biological Assessment, Master Plan Update Improvements, STIA, prepared by
2 Parametrix for Port of Seattle and Federal Aviation Administration, June 2000;

3 94. Essential Fish Habitat Assessment, Master Plan Update Improvements, STIA,
4 prepared by Parametrix for Port of Seattle and Federal Aviation Administration, March 2001;

5 95. Preliminary Comprehensive Stormwater Management Plan for STIA Master
6 Plan Improvements dated July 1998, Appendix F;

7 96. Letter from Ecology to the Port of Seattle dated 9/28/00 regarding Withdrawal
8 and Resubmittal of 401 Application;

9 97. Memorandum to Ann Kenny from Dave Garland dated 11/27/00 regarding
10 Borrow Area 3 wetland impacts;

11 98. Memorandum from Dave Garland to Ray Hellwig, et al. dated 5/5/01 regarding
12 Slice Model Integration;

13 99. Memorandum from Dave Garland to Kevin Fitzpatrick and Ann Kenny dated
14 March 9, 2001 regarding review of SeaTac Airport Master Plan Update Streamflow Analysis;

15 100. Geotechnical Summary Report Third Runway Embankment and MSE Retaining
16 Walls, STIA, prepared by Hart Crowser for the Port of Seattle, November 2, 2001;

17 101. Memorandum from Katie Walter to Ann Kenny dated 8/7/01 regarding Draft
18 401 Conditions;

19 102. 401 Certification issued July 20, 1998 to Port of Seattle for STIA Master Plan
20 Update with cover letter;

21 103. Letter from Tom Luster to Julia Patterson dated 1/21/01;

22 104. Email from Ray Hellwig to Tom Luster dated 1/3/00 regarding Des Moines
23 Creek fish;

24 105. Email from Ray Hellwig to Tom Luster dated 5/12/99 regarding Airport Related
25 Article;

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AR 003619

1 106. Email from Paula Ehlers to Tom Luster, et al. dated 6/13/99 regarding Sea Tac-
2 Comments on May 17 meeting;

3 107. Memorandum from Paula Ehlers to Gordon White dated 10/24/00 regarding
4 Refocusing Work Priorities for Tom Luster;

5 108. Email from Tom Luster to Paula Ehlers dated 11/7/00 regarding Highline Times
6 Luster Story;

7 109. Email from Kevin Fitzpatrick to Tom Luster dated 3/4/99 regarding Friday Sea
8 Tac meeting;

9 110. Email from Kevin Fitzpatrick to Tom Luster dated 5/14/99 regarding Updated
10 401 Permit Matrix and previous email from Tom Luster to Kevin Fitzpatrick dated 5/14/99;

11 111. Email from Kevin Fitzpatrick to Tom Luster dated 3/28/00 regarding comments
12 on GW & SW Issues;

13 112. Draft Memo from Tom Luster to Gordon White dated 10/29/98 regarding 401
14 Certification, WQ and Stormwater;

15 113. Email from Steve Saunders to Melodie Selby, et al. dated November 21, 1998
16 regarding 401 and 402, with attachment;

17 114. Email from Tom Luster to Lisa Zinner dated October 29, 1998 regarding
18 401/water quality/stormwater;

19 115. Email from Tom Luster to Ray Hellwig, et al. dated September 16, 1999
20 regarding SeaTac issue: compliance with water quality standards;

21 116. Email from Tom Luster to Kevin Fitzpatrick dated January 12, 2000 regarding
22 SeaTac 401/402 split;

23 117. State of Washington Department of Ecology Agreed Order #97TC-N122, In the
24 Matter of Sea-Tac International Airport;

25
26 **AR 003620**

1 118. Ground water flow pathways analysis diagrams for presentation at meeting with
2 ACC, Ecology, and state legislators on May 15, 2001. Seven 2 x 3 foot figures prepared by
3 AEIS for the Port of Seattle dated May 3, 2001;

4 119. U.S. Environmental Protection Agency Soil Screening Guidance, Publication
5 No. 9355.4-23, April 1996;

6 120. U.S. Environmental Protection Agency Soil Screening Guidance, Publication
7 No. 9355.4-23, Second Edition, July 1996;

8 121. Chung Ki Yee's Water Quality Program tsdcalc9.xlw spreadsheet used to
9 calculate water quality criteria (2001);

10 122. Chung Ki Yee's Three phase Model.xls spreadsheet developed for the draft fill
11 criteria (2001);

12 123. U.S. EPA Integrated Risk Information System Substance files for antimony,
13 arsenic, beryllium, cadmium, chromium, selenium, silver and zinc;

14 124. Washington State Department of Ecology MTCA Cleanup Levels and Risk
15 Calculations Update, Publication No. 94-145, February 1996;

16 125. Natural Background Soil Metals Concentrations in Washington State, Toxics
17 Cleanup Program Publication No. 94-115, October 1994;

18 126. Department of Ecology (Steve Robb) Implementation Memo No. 3 regarding
19 PQLs as cleanup standards dated November 24, 1993;

20 127. Email dated September 11, 2000 from Chung Yee to Kevin Fitzpatrick
21 regarding acceptable fill criteria language for 401 certification, with previous emails and
22 attachments;

23 128. Interlocal Agreement No. _____ between Port of Seattle and Department
24 of Ecology, dated February 8, 2002, regarding facilitating necessary oversight of construction
25 of projects in the Port's Master Plan Update for STIA;

26 129. WAC ch. 173-201A;

AR 003621

- 1 130. WAC ch. 173-340 (excerpts);
- 2 131. King County Des Moines Creek Basin Plan;
- 3 132. Second Revised Public Notice dated December 27, 2000 issued by U.S. Army
- 4 Corps of Engineers regarding Port of Seattle application for permit under Section 404 of the
- 5 Clean Water Act and Notice of Application for Certification of Consistency with the
- 6 Washington State Coastal Zone Management Program;
- 7 133. Amendment and Erratum for Second Revised Public Notice issued by U.S.
- 8 Army Corps of Engineers regarding Port of Seattle application for Section 404 Permit and
- 9 Notice of Application for Water Quality Certification;
- 10 134. Email from Chung Yee to Craig Thompson, copy to Kevin Fitzpatrick, dated
- 11 June 26, 2001 regarding Acceptable Fill Criteria Language for Draft 401 Certification with
- 12 attachments;
- 13 135. Email from Ann Kenny to Kevin Fitzpatrick, et al., dated October 23, 2001
- 14 regarding processed materials, with attachments;
- 15 136. Regulatory Guidance Letter, U.S. Army Corps of Engineers, No. 87-03, dated
- 16 April 14, 1987;
- 17 137. Examining the Effects of Runway Deicing on Dissolved Oxygen in Receiving
- 18 Waters, Results of the 1999-2000 Winter Season, STIA, January 2001;
- 19 138. Memorandum from Tom Luster to Paula Ehlers dated October 25, 2000
- 20 regarding initial list of workload items;
- 21 139. Sand and Gravel General NPDES Permit;
- 22 140. Sand and Gravel General NPDES Permit Fact Sheet;
- 23 141. Azous, A.L., and R.R. Horner (eds.). 2001. Wetlands and Urbanization.
- 24 Implications for the Future. Lewis Publishers.;
- 25 142. Barling, R.D. and I.D. Moore. 1994. Role of buffer strips in management of
- 26 waterway pollution: A review. Environmental Management 18(4):543-558;

AR 003622

1 143. Beschta, R.L. and 4 others. 1987. Stream temperature and aquatic habitat. Pages
2 191-232 in Salo and Lundy (eds.) Streamside Management: Forestry Fisheries Interactions.
3 Institute of Forest Resources, Contribution No. 57, University of Washington, Seattle, WA.,
4 471 pp.;

5 144. Bilby, R.E. 1988. Interactions between aquatic and terrestrial systems. Pages
6 13-43 in K.J. Raedeke, editor. Streamside Management: Riparian Wildlife and Forestry
7 Interactions. Institute of Forest Resources, Contribution No. 59. University of Washington,
8 Seattle, WA.;

9 145. Bolton, Susan and Jeff Shellberg. 2001. Ecological Issues in Floodplains and
10 Riparian Corridors. Aquatic Habitat Guidelines white paper;

11 146. Carey, A.B. 1988. The influence of small streams on the composition of upland
12 bird communities. Pages 153-159 in K.J. Raedeke, editor. Streamside Management: Riparian
13 Wildlife and Forestry Interactions. Institute for Forest Resources, Contribution No. 59,
14 University of Washington, Seattle, WA.;

15 147. Castelle, A.J., A.W. Johnson, and C. Conolly. 1994. Wetland stream buffer
16 requirements – A review. Journal of Environmental Quality 23:878-8823;

17 148. Cedarholm, C.J., L.G. Dominguez, and T.M. Bumstead. 1997. Rehabilitating
18 stream channels and fish habitat using large woody debris. Chapter 8 in: P.A. Slaney and C.
19 Zaldokas (Eds.). Fish Habitat Rehabilitation Procedures. Province of BC Ministry of
20 Environment, Lands and Parks, and Ministry of Forests. Watershed Restoration Technical
21 Circular No. 9;

22 149. Cedarhold, C.J., and 13 others. 2000. Pacific Salmon and Wildlife: Ecological
23 Contexts, Relationships, and Implications for Management. Special Edition Technical Report,
24 Prepared for D.H. Johnson and T.A. O'Neil (Manag. Dirs.), Wildlife-Habitat Relationships in
25 Oregon and Washington. Washington Department of Fish and Wildlife, Olympia, WA.;

26
AR 003623

- 1 150. Correll, D.S. 2001. Vegetated Stream Riparian Zones: Their Effects on Stream
2 Nutrients, Sediments, and Toxic Substances. An Annotated and Indexed Bibliography of the
3 world literature including buffer strips, and interactions with hyporheic zones and floodplains.
4 Sustainable Florida Ecosystems, Inc., Crystal River, FL. Tenth Edition, September 2001;
- 5 151. Cummins, K.W., and 4 others. 1989. Shredders and riparian vegetation.
6 BioScience 39(1):24-30;
- 7 152. Daniels, R.B. and J.W. Gilliam. 1996. Sediment and channel load reduction by
8 grass and riparian filters. Soil Sci. Soc. Am. J. 60:246-251;
- 9 153. Desbonnet, Alan et al. 1994. Vegetated Buffers in the Coastal Zone. A
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16 Site, Auburn, Washington, Exhibit 1, HWA Project No. 97168-800 prepared by HWA
17 Geosciences, Inc. for Parametrix, Inc. dated 8/6/99;

18 204. Letter dated 4/20/01 from HWA Geosciences to Parametrix, Inc. transmitting
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20 dated 6/8/98;

21 205. Letter dated 11/9/01 from Port of Seattle to Ecology transmitting: Miller Creek
22 Riparian Corridor and Instream Enhancement Project, Wetland A17 Restoration, Seattle-
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25
26 **AR 003629**

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2 Micheal J. Bailey, Hart Crowser, to Jim Thompson, HNTB regarding Sea-Tac third runway
3 borrow area 3, preservation of wetlands;

4 207. Memorandum dated October 30, 2001 from Michael Kenrick, Hart Crowser, to
5 Jim Thompson, HNTB, regarding wetland hydrology and the third runway embankment fill;

6 208. Email with attachment dated 3/21/01 from Ann Kenny to Raymond Hellwig,
7 Erik Stockdale and Katie Walter regarding Floyd and Snider notes: Wetland issues only;

8 209. Email with attachment dated 4/23/01 from Jim Kelley to Katie Walter regarding
9 mitigation planning in Auburn;

10 210. Email with attachment dated 4/26/01 from Jim Kelley to Katie Walter regarding
11 clarification from last meeting;

12 211. Email dated 5/1/01 from Scott Bender to Katie Walter regarding Wetland 39;

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24 236. Response by Port of Seattle to comments regarding December 2001 Low
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6 239. Documents listed by Roger Nye in his memorandum to Colleen Bradford dated
7 September 20, 2001.

8 Ecology reserves the right to offer as an exhibit any of the exhibits listed by any other
9 party to this action in that party's preliminary or final lists of exhibits and to call as a witness
10 any person listed on another party's preliminary or final witness list.

11 DATED this 20 day of February, 2002.

12 CHRISTINE O. GREGOIRE
13 Attorney General

14 

15 JOAN M. MARCHIORO, WSBA # 19250
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AR 003633

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ENVIRONMENTAL
HEARINGS OFFICE

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

AIRPORT COMMUNITIES COALITION,

Appellant,

CITIZENS AGAINST SEA-TAC
EXPANSION,

Intervenor/Appellant,

v.

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

Respondents.

PCHB No. 01-160

CERTIFICATE OF SERVICE

Pursuant to RCW 9A.72.085, I certify that on February 20th, 2002, I caused to be served, Respondent Department of Ecology's Final List of Witnesses and Exhibits, and this Certificate of Service, in the above-captioned matter to be served upon the parties herein, as indicated below:

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AR 003634

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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 20th day of February, 2002, in Olympia, Washington.

24 
25 TANYA M. ROSE
26 Legal Assistant

AR 003635