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POLLUTION CONTROL HEARINGS BOARD
FOR THE STATE OF WASHINGTON

ENVIRONMENTAL
HEARINGS OFFICE

AIRPORT COMMUNITIES COALITION,)
)
Appellant,)
)
CITIZENS AGAINST SEA-TAC)
EXPANSION,)
)
Intervenor/Appellant,)
)
v.)
)
STATE OF WASHINGTON,)
DEPARTMENT OF ECOLOGY; and)
THE PORT OF SEATTLE,)
)
Respondents.)

PCHB No. 01-160

ORDER GRANTING ACC'S MOTION
TO COMPEL INSPECTION OF PORT
PROPERTY

(Proposed)

Airport Communities Coalition, having filed a Motion to Compel Inspection of Port Property;
the Board, having reviewed the following pleadings and exhibits filed in this matter:

1. ACC's Motion to Compel Inspection of Port Property;
2. Declaration of Michael P. Witek in Support of ACC's Motion to Compel Inspection of Port Property, with exhibits;
3. Declaration of Jeanne Moeller in support of ACC's Motion to Compel Inspection of Port Property;
4. And any responsive pleading and declarations by the Port or the Department of Ecology;

IT IS NOW THEREFORE ORDERED:

1. That ACC's Motion to Compel Inspection of Port Property is GRANTED;

AR 005380

ORDER GRANTING ACC'S MOTION TO COMPEL
INSPECTION OF PROPERTY - 1

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2. That the Port of Seattle will, within two days of this Order, confer in good faith with ACC counsel and agree dates for site visits for ACC’s experts, counsel, paralegal, and two client representatives, to observe, photograph and sample wetlands, soils and streams within the area proposed for construction of the Third Runway and related Master Plan Update Projects;

3. That no depositions shall be taken of ACC witnesses until fourteen days after the site visits; and

4. That, if the Port fails to reach agreement on dates for entry with ACC within two days of the date of this Order, then ACC shall notify the Port of five proposed dates for site visits and the Port shall select three as acceptable within 24 hours. If the Port fails to do so, ACC shall be entitled to notify the Port of three days of its choosing, and the Port shall allow ACC entry for such site visits on those three days.

SO ORDERED this _____ day of _____, 2002.

POLLUTION CONTROL HEARINGS BOARD

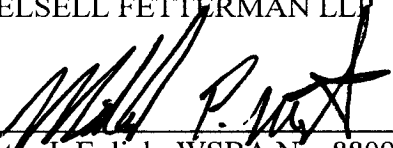
_____ [Signature Line]
KALEEN COTTINGHAM, Presiding

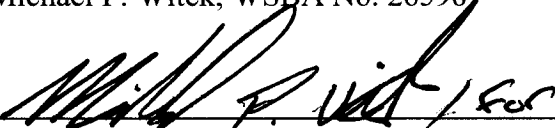
_____ [Signature Line]
ROBERT V. JENSEN, Member

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1 Presented by:

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5 Peter J. Eglick, WSBA No. 8809
6 Kevin L. Stock, WSBA No. 14541
7 Michael P. Witek, WSBA No. 26598

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9 _____
10 Rachael Paschal Osborn, WSBA No. 21618

11 Attorneys for Airport Communities Coalition

12 Approved as to Form;
13 Notice of Presentation Waived:

14 PORT OF SEATTLE

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