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POLLUTION CONTROL HEARINGS BOARD
FOR THE STATE OF WASHINGTON

ENVIRONMENTAL
HEARINGS OFFICE

1	AIRPORT COMMUNITIES COALITION,)	
2)	PCHB No. 01-160
3)	
4	Appellant,)	
5)	ACC'S UPDATED PRELIMINARY
6	v.)	LIST OF EXHIBITS
7)	
8	STATE OF WASHINGTON,)	
9	DEPARTMENT OF ECOLOGY; and)	
10	THE PORT OF SEATTLE,)	
11)	
12	Respondents.)	

ACC incorporates by reference and may introduce any or all documents listed by the Port and Ecology on their exhibit lists submitted to date. Some of the documents listed here may overlap with the Port and Ecology lists, but the non-inclusion on this list of documents listed by the Port or Ecology does not indicate that ACC may not introduce them.

Whether indicated below or not, all comment letters listed below include their attachments.

Emails which are listed may include attachments as well as other, earlier emails below the email date and title which is listed. All emails listed are as they were received by ACC from Ecology pursuant to ACC's Public Disclosure Act requests.¹

1. August 10, 2001, and 401 Certifications and all documents they cite and rely on;
2. Depositions and Exhibits to them;
3. Resume of Amanda Azous;

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¹ Some emails received via PDA request from Ecology indicated on the face of the email that they had attachments, but the attachments were not provided to ACC.

ORIGINAL

- 1 4. Letter from Amanda Azous to Dept. of Ecology dated May 23, 2000;
- 2 5. Letter from Amanda Azous to Dept. of Ecology dated May 24, 2000;
- 3 6. Letter from Amanda Azous to Dept. of Ecology dated June 5, 2000;
- 4 7. Letter from Amanda Azous to Dept. of Ecology dated August 16, 2000, with attachment (June 27,
- 5 2000, Memo from John A. Strand, Ph.D., to Peter Eglick. Columbia Biological Assessments)
- 6
- 7 8. Letter from Amanda Azous to Dept. of Ecology dated September 1, 2000;
- 8 9. Letter from Amanda Azous to Dept. of Ecology dated September 15, 2000;
- 9 10. Letter from Amanda Azous to Dept. of Ecology dated February 16, 2001;
- 10 11. Letter from Amanda Azous to Dept. of Ecology dated May 14, 2001;
- 11 12. Letter from Amanda Azous to Dept. of Ecology dated July 6, 2001;
- 12 13. Declaration of Amanda Azous in Support of ACC's Motion for Stay, dated September 11, 2001,
- 13 in PCHB No. 01-133 (now 01-160), with attachments;
- 14
- 15 14. Declaration of Amanda Azous in Support of ACC's Reply on Motion for Stay, dated October 8,
- 16 2001, in PCHB No. 01-133 (now 01-160), with attachments;
- 17 15. Declaration of Amanda Azous in Support of ACC's Sur-Reply on Motion for Stay, dated October
- 18 10, 2001, in PCHB No. 01-133/01-160;
- 19 16. Declaration of Amanda Azous on Late Attachments to Stockdale Declaration, dated October 18,
- 20 2001, in PCHB No. 01-160;
- 21 17. *Assessment of Spawning and Habitat in three Puget Sound Streams*, Washington (BioAnalysts,
- 22 Inc., April 1999);
- 23 18. CENWS-OD-RG. Memorandum for the Record (MFR). Subject: Meeting with the Port.
- 24 Enclosures 1 and 2 containing water level data and data sheets from the Wetland Functional Analysis.
- 25

1 Parametrix, Inc.

2 19. Memo from Sally Marquis, Manager, Aquatic Resources Unit, United States Environmental
3 Protection Agency Region 10, to Colonel Ralph Graves, District Engineer, Seattle District, Corps of
4 Engineers, dated June 8, 2001 listing issues of concern related to 1996-4-02325.

5 20. Corps of Engineers Memorandum for the Record (MFR). CENWS-OD-RG. April 24, 2001.
6 Subject: Summary of telephone conversations with Elizabeth Leavitt and/or Jim Kelly;

7 21. Compensating for Wetland Losses Under the Clean Water Act, by the National Research Council
8 (Committee on Mitigating Wetland Losses, Board on Environmental Studies and Toxicology, Water
9 Science and Technology Board, Division on Earth and Life Studies), published by the National Academy
10 Press, 2001;

11 22. Resume of Dyanne Sheldon;

12 23. Letter dated February 15, 2001, from Dyanne Sheldon, Sheldon & Associates, to Department of
13 Ecology;

14 24. Declaration of Dyanne Sheldon in Support of ACC's Motion for Stay, dated October 5, 2001, in
15 PCHB No. 01-160, with attachments;

16 25. Declaration of Dyanne Sheldon in Support of ACC's Sur-Reply on Motion for Stay, dated
17 October 10, 2001, in PCHB No. 01-160;

18 26. Declaration of Dyanne Sheldon on Late Attachments to Stockdale Declaration, dated October 18,
19 2001, in PCHB No. 01-160;

20 27. Resume of Bill Rozeboom;

21 28. Resume of Dr. Malcolm Leytham;

22 29. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated November 24, 1999;

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- 1 30. Port response to NHC's November 24, 1999, letter dated March 10, 2000;
- 2 31. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated May 3, 2000;
- 3 32. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated July 31, 2000;
- 4 33. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated September 7, 2000;
- 5 34. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated September 21, 2000;
- 6 35. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated September 25, 2000;
- 7 36. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated September 27, 2000;
- 8 37. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated February 15, 2001;
- 9 38. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated April 11, 2001;
- 10 39. Dept. of Ecology response to NHC's April 11, 2001, letter, by Ann Kenny, dated April 27,
- 11 2000 [sic];
- 12
- 13 40. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated April 30, 2001;
- 14 41. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated June 25, 2001;
- 15 42. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated July 23, 2001;
- 16 43. Letter from Northwest Hydraulic Consultants to Dept. of Ecology dated August 6, 2001;
- 17 44. Declaration of William A. Rozeboom in Support of ACC's Motion for Stay, dated September 11,
- 18 2001, in PCHB No. 01-133 (now 01-160), with attachments;
- 19
- 20 45. Declaration of William A. Rozeboom in Support of ACC's Motion for Stay, dated October 8,
- 21 2001, in PCHB No. 01-133 (now 01-160), with attachments;
- 22
- 23 46. 1998 King County Surface Water Design Manual;
- 24 47. All review comments and accompanying cover letters by the King County Department of
- 25 Natural Resources on the Port's Comprehensive Stormwater Management Plan;

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1 48. All review comments and accompanying cover letters by the King County Department of
2 Natural Resources on the Port's Low Flow Impact Analysis and Low Flow Impact Offset Facility
3 Proposal;

4 49. Resume of Dr. John Strand

5 50. Letter dated December 13, 1999, from Dr. John Strand, Columbia Biological Assessments, to
6 Dept. of Ecology;

7 51. Letter dated June 27, 2000, from Dr. John Strand, Columbia Biological Assessments, to Dept. of
8 Ecology;

9 52. Letter dated August 21, 2000, from Dr. John Strand, Columbia Biological Assessments, to Dept.
10 of Ecology;

11 53. Letter dated August 31, 2000, from Dr. John Strand, Columbia Biological Assessments, to Dept.
12 of Ecology;

13 54. Letter dated September 5, 2000, from Dr. John Strand, Columbia Biological Assessments, to Dept.
14 of Ecology;

15 55. Letter dated October 29, 2000, from Dr. John Strand, Columbia Biological Assessments, to U.S.
16 Environmental Protection Agency;

17 56. Letter dated December 8, 2000, from Dr. John Strand, Columbia Biological Assessments, to Dept.
18 of Fish & Wildlife, re JARPA Application for Miller Creek Project HPA prepared by Parametrix;

19 57. Letter dated February 16, 2001, from Dr. John Strand, Columbia Biological Assessments, to Dept.
20 of Ecology, with attachments;

21 58. Letter dated March 12, 2001, from Dr. John Strand, Columbia Biological Assessments, to Dept. of
22 Ecology;

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- 1 59. Letter dated June 20, 2001, from Dr. John Strand, Columbia Biological Assessments, to
2 Department of Ecology, w/attachment;
- 3 60. Letter dated August 6, 2001, from Dr. John Strand, Columbia Biological Assessments, to
4 Department of Ecology;
- 5 61. Declaration of Dr. John Strand in Support of ACC's Motion for Stay, dated September 11, 2001,
6 in PCHB No. 01-133 (now 01-160), with attachments;
- 7 62. Declaration of Dr. John Strand in Support of ACC's Reply on Motion for Stay, dated October 8,
8 2001, in PCHB No. 01-133/01-160, with attachments;
- 9 63. Declaration of Dr. John Strand in Support of ACC's Sur-Reply on Motion for Stay, dated October
10 10, 2001, in PCHB No. 01-133/01-160;
- 11 64. Port of Seattle. 1997. Storm Water Receiving Environmental Monitoring report for NPDES
12 Permit No. WA-002465-1;
- 13 65. Port of Seattle. 1998. Annual Stormwater Monitoring Report for Seattle-Tacoma International
14 Airport for Period June 1, 1997 through June 30, 1998;
- 15 66. Port of Seattle. 1999. Annual Stormwater Monitoring report for Seattle-Tacoma International
16 Airport for the Period July 1, 1998 through June 30, 1999;
- 17 67. Port of Seattle. 2000. Annual Stormwater Monitoring Report for Seattle-Tacoma International
18 Airport for the Period July 1, 1999 through June 30, 2000;
- 19 68. Port of Seattle. 2001. Annual Stormwater Monitoring Report for Seattle-Tacoma International
20 Airport for the Period July 1, 2000 through June 30, 2001;
- 21 69. Washington Department of Ecology. 1995. Guidance for Remediation of Petroleum
22 Contaminated Sites. Publication 91-30;
- 23
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- 1 70. Letter from Elizabeth Clark, Port of Seattle to Roger Nye, Washington Department of Ecology,
2 dated Feb 4, 2000, Re: fill materials used at STIA in 1998 and 1999;
- 3 71. Memo from Paul Agid, Port of Seattle to Chung Yee, Washington Department of Ecology,
4 dated July 27, 2000, Re: fill materials used at STIA in 2nd Quarter 2000;
- 5 72. Memo from Beth Clark to Paul Agid, both of the Port of Seattle, dated April 30, 2001, Re: fill
6 from 1st Ave Bridge site;
- 7 73. Memo from Beth Doan, Army Corps to Paul Agid, Port of Seattle, dated March 24, 1999 re:
8 Hamm Creek sediments;
- 9 74. USACOE. 1997. Sediment Characterization for the Hamm Creek Restoration Project,
10 Duwamish Turning Basin, Seattle, Washington. Prepared for USACOE, Seattle District by Science
11 Applications International Corp, Bothell, Washington;
- 12 75. Boeing Environmental Affairs. 1990. Baseline Soil and Groundwater Quality Assessment.
13 Seattle City Light Long-term Lease Option, Seattle, Washington. WO 3709-04-01. Prepared for
14 Boeing by Roy F. Weston, Inc., Seattle, Washington;
- 15 76. Resume of Dr. Peter Willing;
- 16 77. Letter dated September 5, 2000, from Dr. Peter Willing, Water Resources Consulting, Inc., to
17 Dept. of Ecology;
- 18 78. Letter dated September 15, 2000, from Dr. Peter Willing, Water Resources Consulting, Inc., to
19 Dept. of Ecology;
- 20 79. Letter dated September 19, 2000, from Dr. Peter Willing, Water Resources Consulting, Inc., to
21 Dept. of Ecology;
- 22 80. Letter dated September 26, 2000, from Dr. Peter Willing, Water Resources Consulting, Inc., to
23 Dept. of Ecology;
- 24
- 25

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1 Dept. of Ecology;

2 81. Letter dated October 20, 2000, from Dr. Peter Willing, Water Resources Consulting, Inc., to David
3 McCraney, Port of Seattle;

4 82. Letter dated February 16, 2001, from Dr. Peter Willing, Water Resources Consulting, Inc., to
5 Dept. of Ecology;

6 83. Letter dated March 12, 2001, from Dr. Peter Willing, Water Resources Consulting, Inc., to Dept.
7 of Ecology;

8 84. Letter dated July 3, 2001, from Dr. Peter Willing, Water Resources Consulting, Inc., to Dept. of
9 Ecology, w/attachment;

10 85. Letter dated July 6, 2001, from Dr. Peter Willing, Water Resources Consulting, Inc., to Dept. of
11 Ecology;

12 86. Letter dated July 18, 2001, from Dr. Peter Willing, Water Resources Consulting, Inc., to Dept. of
13 Ecology;

14 87. Declaration of Dr. Peter Willing in Support of ACC's Motion for Stay, dated September 12, 2001,
15 in PCHB No. 01-133 (now 01-160), w/attachments;

16 88. Declaration of Dr. Peter Willing in Support of ACC's Reply on Motion for Stay, dated October 8,
17 2001, in PCHB No. 01-133/01-160, w/attachments;

18 89. Declaration of Dr. Peter Willing in Support of ACC's Sur-Reply on Motion for Stay, dated
19 October 10, 2001, in PCHB No. 01-133/01-160, w/attachments;

20 90. Resume of Dr. Patrick Lucia

21 91. Resume of Dr. Edward Kavazanjan

22 92. Letter dated February 16, 2001, from GeoSyntec Consultants to Dept. of Ecology;

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- 1 93. Letter dated March 2, 2001, from GeoSyntec Consultants to Dept. of Ecology (correction to
2 Comment #7 in February 16 letter);
- 3 94. Letter dated March 15, 2001, from GeoSyntec Consultants to Dept. of Ecology;
- 4 95. Letter dated June 22, 2001, from GeoSyntec Consultants to Dept. of Ecology;
- 5 96. Letter dated August 6, 2001, from GeoSyntec Consultants to Dept. of Ecology;
- 6 97. Declaration of Dr. Patrick Lucia in Support of ACC's Motion for Stay, dated October 8, 2001, in
7 PCHB No. 01-133/01-160, w/attachments;
- 8 98. Second Declaration of Dr. Patrick Lucia in Support of ACC's Motion for Stay, dated October 10,
9 2001, in PCHB No. 01-133/01-160;
- 10 99. Declaration of Thomas R. Luster, dated September 10, 2001, in PCHB No. 01-133 (now 01-160);
- 11 100. Reply Declaration of Tom Luster in Support of Stay, dated October 7, 2001, in PCHB No. 01-
12 133/01-160;
- 13 101. Attachments to Declaration of Peter J. Eglick in Support of ACC's Motion for Stay, dated
14 September 12, 2001, in PCHB No. 01-133 (now 01-160);
- 15 102. Attachments to Declaration of Peter J. Eglick in Support of ACC's Reply on Motion for Stay,
16 dated October 8, 2001, in PCHB No. 01-133/01-160;
- 17 103. NPDES Permit No. No. WA-002465-1, and Major Modification thereto;
- 18 104. Letter from Helsell Fetterman to Department of Ecology, dated February 16, 2001;
- 19 105. Letter from Helsell Fetterman to Department of Ecology, dated March 9, 2001;
- 20 106. Letter from Helsell Fetterman to DOE Director Tom Fitzsimmons, dated March 30, 2001;
- 21 107. Letter from DOE Director Tom Fitzsimmons to Kevin Stock, Helsell Fetterman, dated April
22 11, 2001;

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- 1 108.. Governor Locke's Certification to federal Department of Transportation, dated June 30, 1997;
- 2 109. Memorandum dated March 11, 1999, from Roger Nye, DOE Project Manager, Sea-Tac Airport
- 3 Groundwater Study, to Kathy Gerla, Assistant Attorney General, Re: Request for Ruling;
- 4
- 5 110. Request for Contract Services dated April 21, 1999, from Roger Nye, DOE Project Manager,
- 6 Sea-Tac Airport Groundwater Study, to Steve Alexander, DOE Section Head, Toxic Cleanup Program,
- 7 DOE Northwest Regional Office;
- 8 111. Email exchange between Steve Alexander, Section Head, Toxic Cleanup Program, DOE
- 9 Northwest Regional Office, and Roger Nye, DOE Project Manager, Sea-Tac Airport Groundwater
- 10 Study, dated May 17-26, 1999, Re: Request for Contract Services;
- 11
- 12 112. Department of Ecology Agreed Order # 97TC-N122, to Port of Seattle, In the Matter of Sea-
- 13 Tac International Airport, dated May 25, 1999;
- 14
- 15 113. Public Participation Plan for Agreed Order, May 1999;
- 16
- 17 114. Email from Roger Nye, DOE Project Manager, Sea-Tac Airport Groundwater Study, to Port of
- 18 Seattle's Elizabeth Leavitt and Paul Agid, dated June 8, 1999 (then forwarded to DOE's John Wietfeld
- 19 on June 9, 1999), Re: Possible Utilization of Ecology Contract Services;
- 20
- 21 115. Memorandum dated August 23, 1999, from Roger Nye, DOE Project Manager, Sea-Tac
- 22 Airport Groundwater Study, to Steve Alexander, Toxic Cleanup Program Section Head, DOE
- 23 Northwest Regional Office, Subject: Requested Write Ups Regarding Sea-Tac Airport;
- 24
- 25 116. Ground Water Flow Map from Conceptual Ground Water Study, December 2, 1999;
117. Memorandum dated October 16, 2000, from Roger Nye, DOE Project Manager, Sea-Tac
- Airport Groundwater Study, to Steve Alexander, Toxic Cleanup Program Section Head, DOE
- Northwest Regional Office, Regarding Clarifications Regarding Issue of Changing Scope of Agreed

1 Order to Include Cleanup Actions or a CAP; and Attachments (letter dated "April ?, 1997," from
2 Michael J. Gallagher, Section Manager, Toxics Cleanup Program, DOE Northwest Regional Office, to
3 Paul Agid, Port of Seattle; Memorandum dated July 2, 1996, from Kathy Gerla, Assistant AG, to Mary
4 Burg, Mike Gallagher, and Roger Nye, Re: SeaTac Airport -- Status Update for July 16 Meeting; and
5 draft, unsigned Letter dated 3/22/96 to Port of Seattle);
6

7 118. Memorandum dated October 16, 2000, from Roger Nye, DOE Project Manager, Sea-Tac
8 Airport Groundwater Study, to Steve Alexander, Toxic Cleanup Program Section Head, DOE
9 Northwest Regional Office, Subject: Addendum to Update Previous Write up Dated August 23, 1999,
10 Regarding Sea-Tac Airport, and attachment (Letter dated July 24, 2000, from John Wietfeld, DOE, to
11 Elizabeth Leavitt, Port of Seattle;
12

13 119. Email exchange between Ray Hellwig, Director of the Department of Ecology's Northwest
14 Regional Office, and Tom Luster, (then) DOE, dated October 23-24, 2000, Re: 3rd Runway Notes and
15 Next Meetings;

16 120. Email exchange between Ray Hellwig, Director of the Department of Ecology's Northwest
17 Regional Office, and Steve Alexander, head of Ecology's Toxic Cleanup Program Section at its
18 Northwest Regional Office, dated October 21-26, 2000, Re: Port of Seattle-SeaTac International
19 Airport (POS-STIA) Agreed Order (AO) and Remedial Action Grant (RAG);
20

21 121. Memorandum dated November 13, 2000, from Roger Nye, formerly DOE Project Manager,
22 Sea-Tac Airport Groundwater Study, to John Wietfeld and Ching-Pi Wang, DOE Project Managers for
23 the Sea-Tac Groundwater Study, Re: Information to Include in the "Questions-To-Port" List;

24 122. Letter dated November 15, 2000, from John Wietfeld, DOE Toxic Cleanup Program, to Paul
25 Agid, Port of Seattle, attaching November 2, 2000, DOE Checklist for Sea-Tac Agreed Order Tasks;

- 1 123. Port of Seattle's December 7, 2000, Response to DOE's November 13 and 15, 2000, letters
2 (and attached November 2, 2000, Checklist of complete/incomplete Agreed Order tasks);
- 3 124. Letter dated January 24, 2001, from Paul Agid, Port of Seattle, to John Wietfeld, DOE Toxic
4 Cleanup Section, enclosing Meeting Notes by Port of Seattle (Marilyn Guthrie) of January 23, 2001,
5 meeting between DOE and Port regarding Agreed Order Status;
- 6 125. Ray Hellwig's Q&A Outline for January 26, 2001, Public Hearing on Port's 401 Application;
- 7 126. Memorandum dated February 8, 2001, from John Wietfeld, DOE Toxic Cleanup Section, to
8 Diane Singer, DOE Grants Administrator, requesting audit of the Port of Seattle grant for the Agreed
9 Order (attaching copy of Grant No. G0000052 in the amount of \$430,000 for STIA Phase 1 Ground
10 Water Study Agreement with the Port of Seattle dated September, 1999);
- 11 127. Email dated September 27, 2000, at 4:47 p.m. from Barb Patrick of DOE to Tom Fitzsimmons,
12 et al., of DOE, Re: Dinsmore letter; attaching letter dated September 28, 2000, from DOE to Port,
13 presented to Port 9/28/00;
- 14 128. Letter dated October 25, 2000, from ACC to Dept. of Ecology;
- 15 129. Draft letter from Department of Ecology to Port denying the Section 401 Certification (not
16 finalized due to Port's withdrawal of application);
- 17 130. Email from Tom Luster to Gordon White dated September 27, 2000, at 2:41 p.m., Re:
18 Dinsmore Draft and draft denial letter; includes previous email from Tom Luster to Ray Hellwig, et al.,
19 dated September 27, 2000, at 10:01 a.m., Re: Dinsmore Draft;
- 20 131. Email from Tom Luster to Tom Luster dated October 20, 1999, at 10:38 a.m., Re:
21 SeaTac/Reasonable Assurance;
- 22 132. Email from Ray Hellwig to Tom Luster, et al., dated October 24, 2000, at 7:39 a.m., Re: 3rd

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1 Runway Notes and Next Meetings; includes previous email from Tom Luster to Ray Hellwig, et al.,
2 dated October 23, 2000, at 4:07 p.m., Re: 3rd Runway Notes and Next Meetings;
3
4 133. Email dated April 19, 2000, at 10:33 p.m., from Martha Choe, Director, Washington State
5 Office of Trade and Economic Development (OTED), to John Savich, OTED, Re: Port of Seattle;
6
7 134. Email dated April 24, 2000, at 12:26 p.m., from Gina Marie Lindsey, Port of Seattle, to Martha
8 Choe, OTED, Re: Permit Challenges;
9
10 135. Email dated April 25, 2000, at 9:38 a.m. from Martha Choe, OTED, to Tom Fitzsimmons,
11 DOE, Re: follow up to my phone message;
12
13 136. Email dated May 2, 2000, at 10:39 .m. from Martha Choe, OTED, to John Savich, OTED, Re:
14 Runway;
15
16 137. Letter dated July 18, 2001, from ACC to Gordon White, DOE, Re: Lack of Ecology Response
17 to ACC's Recent PDA Requests, w/attachments (email dated July 17, 2001, from Ann Kenny to Ching
18 Pi-Wang, et al., Re: SeaTac Pathways analyses; and representative samples of PDA requests and
19 follow-up reminders to DOE from ACC; email dated July 25, 2001, at 9:00 a.m., from Kevin Stock,
20 ACC, to Gordon White, DOE);
21
22 138. Memorandum dated July 18, 2001, from Tom Fitzsimmons, DOE, to Governor Gary Locke,
23 Re: Port of Seattle Proposed Third Runway and Associated Projects, Status of Decision Making
24 Process;
25
26 139. Letter dated July 27, 2001, from ACC (Helsell Fetterman) to Gordon White, DOE, Re: Sea-
27 Tac Third Runway: Lack of Time for Agencies and Public to Review New Low Flow Analysis;
28
29 140. Email dated October 25, 2000, at 8:18 a.m., from Curt Hart to Paula Ehlers, et al., DOE, Re:
30 Discussion Draft: Final Talking Points re: staff changes for 401 review; attaching Face Changes 1.doc;

- 1 141. Drafts of Water Quality Certification #1996-4-02325, transmitted to ACC by DOE in response to
2 public disclosure requests on or after August 13, 2001;
- 3 142. Handwritten Notes (one page) labeled 7/31/01, Kelly Whiting, transmitted to ACC by DOE in
4 response to public disclosure requests on August 13, 2001;
- 5 143. Memo dated October 25, 2000, from Tom Luster to Ann Kenny, Re: Transition of 401 Review
6 for SeaTac;
- 7 144. Handwritten Notes (one page) dated 10/26/00 by Ann Kenny, of a telephone conversation with
8 Ray Hellwig;
- 9 145. Handwritten notes (four pages) dated 10/30/00 by Ann Kenny, of internal discussion regarding
10 3RW permitting issues;
- 11 146. Issues outline and possible tasks for wetland consultant, dated October 30, 2000, from Erik
12 Stockdale to Jeannie Summerhays and Ray Hellwig;
- 13 147;. Email dated August 6, 2001, at 11:06 a.m., from Ann Kenny to Elizabeth Leavitt, et al., Re: FW:
14 Sea-Tac Third Runway: NHC Comments on Port of Seattle's New Low Streamflow Analysis;
- 15 148. Email dated August 6, 2001, at 4:43 p.m., from Ann Kenny to Keith Smith (POS), et al., Re: FW:
16 Sea-Tac Third Runway: Comments on Port of Seattle's Low Streamflow Analysis by Dr. John Strand;
- 17 149. Email dated May 2, 1999, at 6:01 p.m., from Siri Nelson to Jonathan Freedman, et al., RE: Turn
18 Basin #3 project, taking material to 3rd runway Port site; with handwritten note by Paul Cooke;
- 19 150. Memo for Record dated 30 April 1999, by Paul Cooke, Subject: Turn Basin #3, meeting with Port
20 officials to discuss likelihood of using 3rd runway area as a disposal site;
- 21 151. Email dated April 30, 1999, at 5:18 p.m., from Paul Cooke to Jonathan Freedman, et al., Re: Turn
22 Basin #3 project, taking material to 3rd runway Port site;
- 23
24
25

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- 1 152. Email dated April 14, 1999, at 10:34 p.m., from Mike O'Neil to Brett Amrine, Re: Turning Basin
2 #3, Duwamish/Hamm Creek;
- 3 153. Email dated March 17, 1999, at 12:32 a.m., from Patrick Cagney to Paul Cooke, et al., Re: TB#3;
- 4 154. Email dated October 30, 2000, at 2:42 p.m., from Erik Stockdale to Ray Hellwig, et al., Re: Tasks
5 for Dyanne Sheldon;
- 6
- 7 155. Email dated January 3, 2001, at 4:20 p.m., from Chung Yee to Kevin Fitzpatrick, Re: Third
8 Runway Fill;
- 9 156. Typewritten notes w/handwritten comments, dated April 3, 2001, Ray Hellwig (?), first
10 sentence "The question is whether or not we should require POS to obtain a water right . . ."
11 (unredacted, depending upon Board's ruling on Ecology's Motion to Strike);
- 12
- 13 157. Agenda dated March 14, 2001, Ecology Water Resources Program Management Team
14 meeting;
- 15 158. Agenda dated October 31, 2000 re "Port of Seattle/Third Runway Flow Augmentation/Water
16 Rights" and attached handwritten notes;
- 17 159. Letter dated August 18, 2000 from Keith Smith to Tom Luster, with attachment, "Revised Flow
18 Augmentation Implementation Plan for Des Moines Creek (August 18, 2000)";
- 19
- 20 160. Letter dated July 25, 2000 from Keith Smith to Tom Luster re: Implementation Plan for the Des
21 Moines Creek Flow Augmentation Facility, attaching "Des Moines Creek Flow Augmentation
22 Implementation Plan";
- 23 161. Letter dated June 19, 2000 from Michael Feldman to Pat Svoboda re "Application of Change of
24 water right";
- 25 162. Application for Change/Transfer of Water Right dated 6/22/00, Change No. 2369-A, Port of

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1 Seattle, applicant;

2 163. King County, et al., 1997, Des Moines Creek Basin Plan, excerpts;

3 164. Handwritten Notes dated 10/31/01, Ray Hellwig (?), Re: "3RW AK";

4 165. E-mail dated 10/31/01 from Hellwig to Fitzsimmons re "FW: DRAFT Low Flow Analysis

5 Meeting Notes from October 30, 2001";

6 166. Memo dated 10/30/01 entitled "Norm Crawford: Recommendations to POS, Notes on HSPF

7 Modeling of Miller, Walker and Des Moines Creeks";

8 167. E-mail dated 8/3/01 from Ann Kenny to Andrea Grad Re: PDA Request re Low Flow Analysis;

9 168. Handwritten Notes dated 7/26/01, Ray Hellwig (?), re "Y 3RW w/Ann K";

10 169. E-mail dated 7/13/01 from Ann Kenny to Snider, Re: Low Flow Draft Meeting Notes 7-9;

11 170. E-mail dated 7/6/01 from Ann Kenny to White, et al., Re: Low Flow Information Ecology has
12 requested;

13 171. Handwritten Notes dated 7/6/01, Ann Kenny (?), re: tc from Kate Snider/Keith Smith . . . ;

14 172. E-mail dated 7/2/01 from Kelly Whiting to Rachel McCrea, Re: Quick Question;

15 173. E-mail dated 7/2/01 from Kelly Whiting to Ann Kenney, Re: Ecological Input;

16 174. Meeting Notes, all dates, draft and final Low Flow Analysis Technical meetings (from
17 approximately 10/00 through 10/01);

18 175. Undated, Draft "Ecology Recommendations for Low Flow Technical Report and Operations
19 Plan." (1 page);

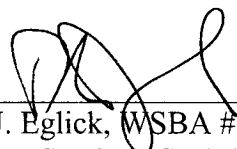
20 176. Port of Seattle, "Examining the Effects of Runway De-Icing on Dissolved Oxygen in Receiving
21 Waters: Results of the 1999-2000 Winter Season," Sea-Tac International Airport, January 2001 (2
22 vols.).

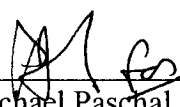
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