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ENVIRONMENTAL
HEARINGS OFFICE

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

AIRPORT COMMUNITIES
COALITION,

Appellant,

v.

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

Respondents.

PCHB No. 01-133
PCHB No. 01-160

RESPONDENT DEPARTMENT OF
ECOLOGY'S REVISED
PRELIMINARY WITNESS AND
EXHIBIT LIST

The State of Washington, Department of Ecology (Ecology), by and through its attorneys, Joan M. Marchioro and Thomas Young, Assistant Attorneys General, submit the following revised preliminary witness and exhibit list, and proposed schedule regarding Appellant's Motion for Stay:

I. WITNESSES

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;
4. Katie Walter, Shannon and Wilson;
5. Kelly Whiting, King County Department of Natural Resources;
6. Dave Garland, Department of Ecology, Northwest Regional Office;

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- 1 7. Gordon White, Department of Ecology, Headquarters;
2 8. Ching Pi Wang, Department of Ecology, Northwest Regional Office;
3 9. Chung Yee, Department of Ecology, Headquarters;
4 10. John Drabek, Department of Ecology, Northwest Regional Office; and
5 11. Ed O'Brien, Department of Ecology, Headquarters.

6 Ecology reserves the right to call any witnesses identified by any other party.

7 **II. EXHIBIT LIST**

- 8 1. Comprehensive Stormwater Management Plan (CSMP) (Volumes 1 -4), Seattle-
9 Tacoma International Airport, Master Plan Update Improvements: Prepared for Port of Seattle,
10 STIA, by Parametrix, Inc., December, 2000
11 2. CSMP Replacement Pages for Volumes 1-4 dated July 2001.
12 3. Floyd and Snider, Inc. Meeting notes from October 2, 2000 to December 8,
13 2000 Summary (pertains to the facilitated process used to identify and resolve permitting
14 issues prior to Port's submittal of revised documents).
15 4. Floyd and Snider, Inc. Meeting notes from CSMP technical review meetings
16 dating from March 14, 2001 to July 23, 2001.
17 5. Floyd and Snider, Inc. Meeting notes from Low Flow Analysis technical review
18 meetings dating from April 20, 2001 to July 27, 2001.
19 6. Low Streamflow Analysis, Port of Seattle, STIA, prepared by Earth Tech, Inc.,
20 December 2000.
21 7. Sea-Tac Runway Fill Hydrologic Studies Report prepared for Department of
22 Ecology by Pacific Groundwater Group, Ecology and Environment and Earth Tech, Inc. dated
23 June 19, 2000.
24 8. Assessment of the Existing and Future Hydrologic Divide of Miller, Walker,
25 and Des Moines Creeks after Construction of Master Plan Update Projects at Seattle-Tacoma
26 International Airport, prepared for Port of Seattle by Parametrix, Inc. dated July 2001.

1 9. Letter dated July 23, 2001 from Keith Smith, Port of Seattle, to Ann Kenny,
2 Ecology, summarizing Port of Seattle's evaluation of summer low streamflow impacts in Des
3 Moines, Miller and Walker Creeks.

4 10. Letter dated July 25, 2001 from Keith Smith, Port of Seattle, to Ann Kenny,
5 Ecology, providing clarifications to letter of July 23, 2001 re low streamflow impacts.

6 11. Low Flow Analysis Impact Offset Facility Proposal and Attachments, prepared
7 for the Port of Seattle by Parametrix, Inc. dated July 23, 2001.

8 12. Letter dated July 31, 2001 with attached conceptual drawings for Flow Impact
9 Offset Facility.

10 13. Memorandum from Dave Garland to Ann Kenny dated August 7, 2001, subject:
11 Review of "Low Flow Analysis, Flow Impact Offset Facility Proposal," Port of Seattle,
12 Parametrix, Inc., July 2000.

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

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

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

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

21 18. Wetland Photographs and Maps, Master Plan Update Improvements, STIA,
22 prepared for Port of Seattle by Parametrix, Inc. dated December 2000.

23 19. Memorandum from Tom Walsh to Joan Marchioro dated June 28, 2001,
24 Restrictive Covenants.

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

4 21. Letter of Transmittal from Hart Crowser to Jim Kelley, Parametrix with four attached
5 figures showing revised plan and sections for Borrow Area 3 wetland protection swale.

6 22. Revised Auburn Wetland Mitigation Planting Plan and Grading Plan received
7 by Ecology June 29, 2001.

8 23. FAX transmittal of Final Performance Standards (Tables 7.7-1, 5.1-7, 5.2-12,
9 5.3-6) from Jim Kelley, Parametrix, Inc. to Ann Kenny, Ecology (hard copy received July 12,
10 2001).

11 24. Transmittal Form and attached wetland hydrology monitoring data from Paul
12 Fendt, Parametrix, Inc. to Ann Kenny, Ecology dated September 6, 2001.

13 25. 401 Water Quality Certification and RCW 90.48 Orders issued August 10, 2001
14 and September 21, 2001.

15 26. Joint Aquatic Resource Permit Application dated October 25, 2000 submitted to
16 the U.S. Army Corps of Engineers.

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

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

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

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1 30. Draft Technical Memorandum, Analysis of Preferential Ground Water Flow
2 Paths Relative to Proposed Third Runway, STIA, prepared for Port of Seattle by Associated
3 Earth Sciences, Inc. dated June 19, 2001.

4 Ecology reserves the right to use all previous and future exhibits identified by other
5 parties and to supplement and/or amend this list as may be necessary.

6 DATED this 14th day of November, 2001.

7 CHRISTINE O. GREGOIRE
8 Attorney General

9 
10 JOAN M. MARCHIORO
11 WSBA #19250
12 Assistant Attorney General

13 
14 THOMAS J. YOUNG
15 WSBA #17366
16 Assistant Attorney General

17 Attorneys for Respondent
18 State of Washington
19 Department of Ecology
20 360.586.6770

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Respondents.

PCHB No. 01-133
PCHB No. 01-160

CERTIFICATE OF SERVICE

Pursuant to RCW 9A.72.085, I certify that on November 15, 2001, I caused to be served Ecology's Revised Preliminary Witness and Exhibit List, and Objections to Issues Proposed Separately by ACC in the above-captioned matter to be served upon the parties herein, as indicated below:

Peter J. Eglick
Kevin L. Stock
Helsell Fetterman LLP
1500 Puget Sound Plaza
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4 Linda J. Strout, General Counsel
5 Traci M. Goodwin, Senior Port Counsel
6 Port of Seattle
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15 MARTEN & BROWN
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17 Olympia, WA 98501

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 By Fax: 360.786.1835

17 the foregoing being the last known business address.

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

20 DATED this 15th day of November, 2001, in Olympia, Washington.

21
22 

23 BROOKE BADGER
24 Legal Assistant

25 SEATAC\PCHEB 01-160 & 01-133\COS 11-15-01.DOC

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