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ENVIRONMENTAL  
HEARINGS OFFICE

POLLUTION CONTROL HEARINGS BOARD  
FOR THE STATE OF WASHINGTON

AIRPORT COMMUNITIES COALITION,

Appellant,

No. PCHB 01-160

v.

DEPARTMENT OF ECOLOGY and  
THE PORT OF SEATTLE,

RESPONDENT PORT OF SEATTLE'S  
PRELIMINARY LIST OF ISSUES,  
WITNESSES AND EXHIBITS

Respondents.

Pursuant to the scheduling letter issued by the Board on August 28, 2001 in Case No. 01-133, respondent Port of Seattle provides the following list of potential issues witnesses and exhibits. With respect to the proposed issues, the Port will review the list of proposed issues from appellant Airport Communities Coalition before determining whether all issues have been covered below:

I. ISSUES

A. General Issues

1. Whether appellant has proven that there is not reasonable assurance that the Port of Seattle's projects at Seattle-Tacoma International Airport ("STIA") reviewed in Ecology's §401 Certification will comply with water quality standards and other applicable standards under §401 of the Federal Water Pollution Control Act.

2. Whether it was necessary to identify and specify performance standards for structures requiring a dam safety permit prior to issuance of the §401 Certification.

PRELIMINARY ISSUE, WITNESS, AND EXHIBIT LIST - 1

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ORIGINAL

1 3. Whether the Port's proposed projects are consistent with the applicable terms of the  
2 Coastal Zone Management Act and Washington's Coastal Zone Management Program.

3 4. Whether Ecology complied with the State Environmental Policy Act ("SEPA") when  
4 reviewing the Port's projects for compliance with applicable standards under §401.

5 5. Whether the Port complied with the applicable requirements of SEPA.

6 6. Whether the Board has jurisdiction to review the Port's compliance with SEPA.

7 7. Whether the §401 Certification conforms to applicable law when it allows conditions  
8 in the §401 Certification to be superseded by future orders of Ecology when issuing NPDES permits  
9 for STIA.

10 8. Whether public notice for the §401 Certification violated applicable statutes and  
11 regulations.

12 **B. Impacts To Wetlands**

13 9. Whether the Natural Resources Mitigation Plan provides adequate mitigation for the  
14 wetlands proposed to be filled as part of the Port's projects reviewed in the §401 Certification.

15 **C. Potential Stream Flow Reductions**

16 10. Whether the mitigation required by the §401 Certification is adequate to avoid or  
17 minimize reductions in stream flow so as to provide reasonable assurance that water quality  
18 standards will be met.

19 11. Whether a water right is required to implement the Port's low stream flow mitigation  
20 plan.

21 **D. Stormwater And Other Water Quality Issues**

22 12. Whether stormwater releases from the Port's projects reviewed in the §401  
23 Certification will violate water quality standards.

1 13. Whether Port's projects reviewed in the §401 Certification will cause existing  
2 contaminants at STIA to migrate and discharge to groundwater and/or surface water in a way that  
3 will violate water quality standards.

4 14. Whether the §401 Certification illegally relies on the Port's existing and future  
5 NPDES permits issued for operation of STIA pursuant to §402 of the Federal Water Pollution  
6 Control Act.

7 15. Whether the §401 Certification is required to address water quality issues in Gilliam  
8 Creek.

9 **E. Fill Acceptability Requirements**

10 16. Whether fill for the embankment constructed as part of the Port's projects reviewed in  
11 the §401 Certification will leach contaminants into groundwater and/or surface water in  
12 concentrations that will violate water quality standards.

13 17. Whether portions of the embankment constructed as part of the Port's projects  
14 reviewed in the §401 Certification will fail and violate state water quality standards.

15 **II. WITNESSES**

16 Pursuant to the Board's scheduling letter, respondent Port of Seattle ("Port") submits the  
17 following list of potential witnesses who may be called at the hearing in this matter. All witnesses  
18 may be contacted through the Port's counsel of record:

- 19  
20 1. Paul Agid – Environmental  
21 Port of Seattle  
22 Aviation Project Management Group  
23 17900 International Blvd., Suite 301  
24 SeaTac, WA 98188  
25 2. Barry R. Christopher, Ph.D. PE  
26 210 Boxelder Lane  
Roswell, GA 30076

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3. Peter M. Douglas, PE  
Peter M. Douglas, Inc.  
16245 41<sup>st</sup> Ave. NE  
Seattle, WA 98155
  4. James C. Kelley, Ph.D.  
Parametrix, Inc.  
5808 Lake Washington Blvd. NE, Suite 200  
Kirkland, WA 98033-7350
  5. Dr. I.M. Idriss, Ph.D., PE  
Engineering III, Room 3116  
Department of Civil & Environmental Engineering  
University of California  
Davis, CA 95616-5294
  6. Dr. James K. Mitchell, Ph.D., PE  
Geotechnical Engineer  
209 Mateer Circle  
Blacksburg, VA 24060
  7. James Thomson, PE  
600 108<sup>th</sup> Avenue, NE, Suite 400  
Bellevue, WA 98004
  8. William Stubblefield  
ENSR Toxicology  
4303 West LaPorte Avenue  
Ft. Collins, CO 80521
  9. Linda R.J. Logan, Ph.D.  
Parametrix, Inc.  
5808 Lake Washington Blvd. NE, Suite 200  
Kirkland, WA 98033-7350
  10. Donald E. Weitkamp, Ph.D.  
Parametrix, Inc.  
5808 Lake Washington Blvd. NE, Suite 200  
Kirkland, WA 98033-7350
  11. Paul S. Fendt, P.E.  
Parametrix, Inc.  
5808 Lake Washington Boulevard Northeast  
Kirkland, Washington 98033
  12. Michael Bailey, P.E.  
Hart Crowser, Inc.  
1910 Fairview Ave. E.  
Seattle, WA 98102-3699

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- 13. Kevin V. Brix  
EcoTox  
625 Pickett Avenue NE  
North Bend, WA 98045
- 14. Keith R Smith  
Water Resources Manager  
Port of Seattle  
17900 International Blvd., Suite 402  
SeaTac, WA 98188-4236
- 15. Scott Tobiason  
Water Resources Manager  
Port of Seattle  
17900 International Blvd., Suite 402  
SeaTac, WA 98188-4236
- 16. Tom Hubbard, Project Manager  
Port of Seattle  
Aviation Project Management Group  
17900 International Blvd., Suite 301  
Seattle, WA 98188
- 17. Elizabeth Leavitt  
Port of Seattle  
17900 International Blvd.  
Seattle, WA 98188
- 18. Michael Cheyne  
Port of Seattle  
Aviation Project Management Group  
1006 S. 170th Street  
P.O. Box 68727  
Seattle, Washington 98168
- 19. C. Linn Gould  
2015 14<sup>th</sup> Avenue E.  
Seattle, WA 98112
- 20. Elizabeth Clark  
15505 63<sup>rd</sup> St. Ct. East  
Sumner, WA 98390
- 21. John Strunk  
Associated Earth Sciences Inc.  
179 Madrona Lane N.  
Bainbridge Island, WA 98110

PRELIMINARY ISSUE, WITNESS, AND EXHIBIT LIST - 5

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22. Joseph Brascher  
Aqua Terra Consultants  
Olympia, Washington

23. Charles Ellingson  
Pacific Groundwater Group  
2377 Eastlake Avenue E.  
Seattle, WA 98102

In addition, the Port reserves the right to call any witness named by appellant Airport Communities Coalition or respondent Department of Ecology. The Port also reserves the right to modify this list to name additional witnesses necessary to rebut evidence introduced by appellants at hearing and about whose opinions and testimony the Port has not been informed to date through this proceeding to date or through discovery.

**III. EXHIBITS**

The Port designates the following documents as potential exhibits that may be introduced as exhibits into the administrative record at the hearing in this matter. In addition to the documents listed below, the Port also designates all documents designated either by appellant Airport Communities Coalition or by respondent Department of Ecology. The Port reserves the right to designate additional exhibits in order to rebut issues and evidence raised by appellant or to rebut opinions and testimony of which the Port has not been informed to date through this proceeding or through discovery. The Port also designates all supplemental and further reports submitted to the Washington Department of Ecology pursuant to Ecology's re-issued §401 Certification.

From	Document Summary	Date
1.	Professional Resume of Paul S. Fendt, P.E.	
2. Parametrix, Inc.	Comprehensive Stormwater Management Plan – MasterPlan Update Improvements Seattle-Tacoma International Airport. Volumes 1 through 4 and appendices.	Dec.2000
3. Parametrix, Inc.	Low Flow Analysis and Flow Impact Offset Facility Proposal	July 2001

- |    |     |   |           |
|----|-----|---|-----------|
| 1  | 4.  | P.Bissonetter, Letter and attachments re review of Comprehensive King Cty DNR Stormwater Management Plan for Master Plan Improvements at STIS                             | 08/03/01  |
| 2  |     |   |           |
| 3  | 5.  | Parametrix, Inc. Data re 7-Day Low Flow Occurrences in Des Moines Creek, Walker Creek and Miller Creek 1949 – 1995  |           |
| 4  |     |   |           |
| 5  | 6.  | Pacific Groundwater Group Sea-Tac Runway Fill Hydrologic Studies Report   | 06/19/00  |
| 6  |     |   |           |
| 7  | 7.  | Department of Ecology National Pollutant Discharge Elimination System Waster Discharge Permit No. WA-002465-1 (issued February 20, 1998 and modified May 29, 2001)        | 05/29/01  |
| 8  |     |   |           |
| 9  | 8.  | Homer, et.al. Watershed Determinants of Ecosystem Functioning   |           |
| 10 | 9.  | Professional Resume of Elizabeth Clark, P.E.  |           |
| 11 | 10. | E.Clark Third Runway Soil Fill Quality Criteria   |           |
| 12 | 11. | E.Clark 1999 Airfield Project Soil Fill Acceptance Criteria   |           |
| 13 | 12. | Professional Resume of John J. Strunk, Associate Geologist  |           |
| 14 | 13. | Associated Earth Sciences Technical Memorandum – Analysis of Preferential Ground Water Flow Paths Relative to Proposed Third Runway, Seattle-Tacoma International Airport | 06/19/01  |
| 15 |     |   |           |
| 16 | 14. | Professional Resume of C. Linn Gould, Risk Assessment Task Manager and Soil Scientist   |           |
| 17 |     |   |           |
| 18 | 15. | U.S. Fish & Wildlife Serv. Letter and Biological Opinion re FWS 1-3-00-F-1420, Master Plan Update Improvements, Seattle-Tacoma International Airport                      | May 2001  |
| 19 |     |   |           |
| 20 | 16. | Ecology Publication #940115 – Natural Background Soil Metals Concentrations in Washington State   | Oct.1994  |
| 21 | 17. | L.Gould Fill Criteria Derivation Chart for Third Runway Embankment  | 09/29/01  |
| 22 | 18. | Professional Resume of Joseph T. Brascher, Hydrologist  |           |
| 23 | 19. | Professional Resume of Linda R.J. Logan, Ph.D.  |           |
| 24 | 20. | Port of Seattle Annual Stormwater Monitoring Report for Seattle-Tacoma International Airport for the period Jul 6 1, 1999 through June 30, 2000                           | Sept.2000 |
| 25 |     |   |           |
| 26 | 21. | Parametrix, Water Effect Ratio Screening Study at Seattle-Tacoma  | Feb.1999  |

- 1 Inc. International Airport: Toxicity Evaluation of Site Water
- 2 22. Port of Seattle Stormwater Whole Effluent Toxicity (WET) Testing at Seattle- May 2000  
Tacoma International Airport – Final Report
- 3 23. Professional Resume of James C. Kelley, Ph.D
- 4 24. J.Kelley Wetland Acreage Impacts by Wetland Function
- 5 25. J.Kelley Summary of Mitigation Actions Taken to Avoid and Minimize  
6 Wetland Impacts
- 7 26. J.Kelley Summary of Wetland Mitigation Credit for Seattle-Tacoma  
8 International Airport Master Plan Update Improvements
- 9 27. J.Kelley Summary of Compensatory Mitigation (On and Off Site) for  
Watershed, Wetland, and Stream Impacts at Seattle-Tacoma  
10 International Airport
- 11 28. J.Kelley Comparison of Mitigation Projects to the Society of Wetland  
Scientist's Definition of Wetland Restoration
- 12 29. J.Kelley Wetland Acreage Impacts and Mitigation by Wetland Function
- 13 30. Parametrix, Inc. Map of Restrictive Covenants on South End of Seattle-Tacoma  
14 International Airport – Tyee Valley Golf Course Mitigation  
Area and Des Moines Creek Mitigation Area
- 15 31. Parametrix, Inc. Restrictive Covenants on West Side of Seattle-Tacoma  
16 International Airport (Northern Map) --
- 17 32. FAA FAA Advisory Circular No.150/5200-33 – Hazardous Wildlife 05/01/97  
Attractants On or Near Airports
- 18 33. FAA U.S. Department of Transportation Federal Aviation 08/08/01  
19 Administration Northwest Mountain Region Record of  
Decision – Environmental Reevaluation for Master Plan  
20 Update Development Actions Sea-Tac International Airport
- 21 34. Parametrix, Inc. Wetland Delineation Report – Master Plan Update Dec.2000  
Improvements Seattle-Tacoma International Airport
- 22 35. Parametrix, Inc. Wetland Functional Assessment and Impact Analysis – Master Dec.2000  
23 Plan Update Improvements Seattle-Tacoma International  
Airport (including appendices)
- 24 36. Parametrix, Inc. Natural Resource Mitigation Plan (Final) – Master Plan Update Dec.2000  
Improvements Seattle-Tacoma International Airport
- 25 37. Parametrix, Inc. Cumulative Impacts to Wetlands and Streams – Master Plan Aug.2001  
26 Update Improvements Seattle-Tacoma International Airport

PRELIMINARY ISSUE, WITNESS, AND EXHIBIT LIST - 8

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|---------------------------------------|--|------------|
| 38.                                   | Professional Resume of Donald E. Weitkamp, Ph.D.   |            |
| 39. Port of Seattle and FAA           | Biological Assessment – Master Plan Update Improvements Seattle-Tacoma International Airport   | June 2000  |
| 40. National Marine Fisheries Service | “Not Likely to Adversely Affect” letter from National Marine Fisheries Services  | 05/31/01   |
| 41. U.S. Fish & Wildlife Service      | Biological Opinion from USF&WS re. Master Plan Update Improvements Seattle-Tacoma International Airport  | May 2001   |
| 42. Port of Seattle and FAA           | Essential Fish Habitat Assessment – Master Plan Update Improvements Seattle-Tacoma International Airport   | Mar.2001   |
| 43. Port of Seattle                   | Third Runway Program Construction Schedule Update  | Sept.2001  |
| 44. HNTB                              | Phase 4 Construction Wetland Impact (Post 404 Permit)  | 09/27/01   |
| 45. ACC                               | Interlocal Agreement, Airport Communities Coalition  | 1996       |
| 46. Wash.Ct. of Appeals, Div.I        | Published Opinion in Case No. 42306-1-I  | 11/05/99   |
| 47. King Cty. Super.Ct.               | Findings of Fact, Conclusions of Law and Final Order in Case Nos. 96-2-20357-2KNT, 97-2-13908-2KNT. 97-2-22276-1KNT, 98-2-04911-1KNT   | 07/9/98    |
| 48. King Cty. Super.Ct.               | Memorandum Ruling on Application of WAC Ch.365-195 in Case Nos. 96-2-20357-2KNT, 97-2-13908-2KNT. 97-2-22276-1KNT, 98-2-04911-1KNT   | 07/09/98   |
| 49. Wash.Ct. of Appeals, Div.I        | Published Opinion in Case No. 43100-5-I  | 11/15/99   |
| 50. Wash.Ct. of Appeals, Div.I        | Order Granting Motion for Reconsideration in Part and Amending Opinion   | 02/23/00   |
| 51. FAA                               | U.S. Department of Transportation Federal Aviation Administration Northwest Mountain Region Record of Decision for the Master Plan Update Development Actions Sea-Tac International Airport. | 06/03/97   |
| 52. Port of Seattle                   | Response to Comments – Port of Seattle’s General Responses   | 04/30/01   |
| 53. Port of Seattle                   | Response to Comments – Port of Seattle’s Responses to Comment Letters from A. Azous, P. Willing, W. Rozeboom, J. Strand, and T. Luster   | April 2001 |

1	54. Luster, Tom	Letter	01/21/01
2	55. Rutzick, Mark	Petitioners' Motion for Voluntary Dismissal in Case No.00-70848	06/11/01
3			
4	56. Darm, Donna	Letter re Essential Fish Habitat Consultation (NMFS)	08/09/01
5	57. COE	Regulatory Guidance Letter No. 87-03	08/14/87
6	58. Port of Seattle and FAA	Final Environmental Impact Statement – Master Plan Update Development Actions at Seattle-Tacoma International Airport (all volumes and appendices)	Feb.1996
7			
8	59. Port of Seattle and FAA	Final Supplemental Environmental Impact Statement – Master Plan Update Development Actions at Seattle-Tacoma International Airport (all volumes and appendices)	May 1997
9			
10	60. Puget Sound Air Transp. Comm.	The Flight Plan Project Final Report and Technical Appendices (including draft programmatic environmental impact statement)	Jan.1992
11			
12	61. PSRC and Port of Seattle	The Flight Plan Project Final Environmental Impact Statement	Oct.1992
13			
14	62. PSRC	Findings, Conclusions and Decision of PSRC Hearing Examiner Campbell Kintz	02/01/93
15	63. PSRC	PSRC Resolution A-93-03	1993
16	64. PSRC	PSRC Executive Board Resolution EB 94-01	1994
17	65. FAA	FAA Capacity Enhancement and Update Study	1995
18	66. PSRC	PSRC Resolution A-96-02	1996
19	67. Port of Seattle	Port of Seattle Resolution 3212 (with all attachments and technical appendices)	08/01/96
20			
21	68. Port of Seattle	Port of Seattle Resolution 3245 (with all attachments and appendices)	05/27/97
22			
23	69. Port of Seattle	JARPA Application for Proposed Master Plan Update Improvements at Seattle-Tacoma International Airport (and as subsequently revised)	Dec.1996
24			
25	70. Port of Seattle	JARPA Application for Proposed Master Plan Update Improvements at Seattle-Tacoma International Airport	10/25/00
26	71. Port of Seattle	Response to all Comments – Master Plan Update	04/30/01

1		Improvements at Seattle-Tacoma International Airport, Vols 1 and 2	
2	72. HartCrowser	Subsurface Conditions Data Report, 404 Permit Support, Third Runway Embankment	July 1999
3			
4	73. HartCrowser	Stability Review of RECo 30% Design Third Runway Embankment Project	11/09/00
5			
6	74. HartCrowser	Sea-Tac Third Runway - Borrow Area 3 Wetland Hydrology analysis	10/20/00
7			
8	75. HartCrowser	Geotechnical Engineering Analyses and Recommendations, Third Runway Embankment, Seattle-Tacoma International Airport, SeaTac, Washington	12/04/00
9			
10	76. HartCrowser	Additional Information on Seismic Design	01/25/01
11			
12	77. HartCrowser	Post-Earthquake Reconnaissance and Photo Documentation, STIA Third Runway Project	03/26/01
13			
14	78.	Des Moines Creek Regional Capital Improvement Project Preliminary Design Report	Apr.1999
15			
16	79. Port of Seattle	Wildlife Hazard Management Plan, Seattle-Tacoma International Airport	Aug.2000
17			
18	80. Port of Seattle	JARPA Application Form	12/19/96
19			
20	81. Port of Seattle	Determination of Non-Significance for Soils Relocation Project [Attached to 5/28/91 Corps Letter]	01/01/91
21			
22	82. Port of Seattle	Port background of approval of MPU and EIS to accompany JARPA Application. [Attachments A-E]	12/18/96
23			
24	83. Kennedy, Jack - Corps	Copies of Port's application to fill wetlands.	02/27/97
25			
26	84. Uhrich, Ann - Corps	Letter re: wetland delineation.	01/01/97
	85. FAA	FAA Advisory Circular - Hazardous Wildlife Attractants on or Near Airports.	05/01/97
	86. Corps	Public Notice of Application for Permit packet - includes construction overview color prints and sheets 1 through 29 of maps.	12/19/97
	87. Corps	Public Notice of Application for Permit packet - includes construction overview color prints and sheets 1 through 29 of maps.	12/19/97

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|----|--|--|-----------|
| 1  | 88. Corps  | Draft of Public Notice of application for Permit.  | 12/19/97  |
| 2  | 89. Corps  | Mailing list for Public Notice of Application for Permit.  | 12/19/97  |
| 3  | 90. Corps  | Draft of Public Notice of application for Permit.  | 12/19/97  |
| 4  | 91. DOE  | State of WA - Notice of Application for Water Quality Cert. and Cert of CZMP.  | 12/19/97  |
| 5  |  |  |           |
| 6  | 92. Corps  | Public Notice of Application for Permit.   | 12/19/97  |
| 7  | 93. Corps  | Public Notice of Application for Permit.   | 01/01/98  |
| 8  | 94. Oldenburg, Gary - US Dept. of Agriculture                    | Letter re: wetland mitigation measures.  | 04/09/98  |
| 9  |  |  |           |
| 10 | 95. Oldenburg, Gary and Woodruff, Gary - US Dept. of Agriculture | Letter re: wetland mitigation.   | 04/15/98  |
| 11 |  |  |           |
| 12 |  |  |           |
| 13 |  |  |           |
| 14 | 96. Lewis, Karl - FAA  | Letter re: FAA ROD mitigation measures.  | 07/03/98  |
| 15 |  |  |           |
| 16 | 97. Woodruff, Gary and Oldenburg, Gary - US Dept. of Agriculture | Letter re: wildlife hazards associated with airport environments.  | 04/15/98  |
| 17 |  |  |           |
| 18 |  |  |           |
| 19 | 98. White, Gordon - DOE  | Water Quality Certification/Coastal Zone Consistency Determination with DOE Order #96-4-02325.   | 07/20/98  |
| 20 |  |  |           |
| 21 | 99. Parametrix   | Wetland Restoration Plan for 16235 - 12th Avenue South.  | July 1998 |
| 22 | 100. Port of Seattle   | Port Submittals Binder includes: Alsdorf Memorandum Ruling, Hearing Examiner Decision of 1/30/98; GMHB Decision; Exhibit B of the SWM Agreement; Summary of Amended Wetland Mitigation Approach - Parametrix May 1998. |           |
| 23 |  |  |           |
| 24 |  |  |           |
| 25 | 101. Port of Seattle   | Port Comment Letter Response Binder - Comments made at the Corps and Ecology public hearing on April 9, 1998.  |           |
| 26 |  |  |           |

PRELIMINARY ISSUE, WITNESS, AND EXHIBIT LIST - 12

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|------|---------------------------------------|---|----------|
| 102. | Port of Seattle                       | Comment Binder A - Comments submitted during the comment period of 12/19/97 to 1/20/98. Comments made at the joint Corps/Ecology public hearing held April 9, 1998.   |          |
| 103. | Port of Seattle                       | Comment Binder B Comments for April 9, 1998 to April 20, 1998. Comments made to Ecology during the entire public comment period of 12/19/97 to 4/29/98.   |          |
| 104. | Locke, Gary - Governor                | Letter  | 06/30/97 |
| 105. | Parametrix                            | Draft Revised Off-Site Wetland Mitigation Plan August 18, 1998. Draft Miller Creek Enhancement Program August 19, 1998. Draft Des Moines Creek Flow Augmentation Plan August 18, 1998.  | 08/01/98 |
| 106. | Port of Seattle                       | Draft Des Moines Creek Flow Augmentation Plan   | 08/18/98 |
| 107. | Corps                                 | Application to COE  | 08/24/98 |
| 108. | Port of Seattle                       | Draft Restrictive covenants for Mitigation Sites for STIA Master Plan Improvements 1. Miller Creek Buffer Area 2. Miller Creek/Lake Lora Wetland 3. Des Moines Creek Buffer Area 4. Auburn Wetland Mitigation Site Ecology Ordered Version. |          |
| 109. | Ossenkop, Dennis-FAA                  | FAA letter re evaluation of wetland mitigation sites near the airport.  | 9/2/98   |
| 110. | Port of Seattle                       | Final DNS and Notice of Decision  | 09/11/98 |
| 111. | Port of Seattle                       | Letter re revised public notice for Section 404 permit application.   | 10/08/98 |
| 112. | Anchor Environmental and Hart Crowser | Hart Crowser aquifer calculation memo to Port.  | 12/09/98 |
| 113. | Port of Seattle                       | Geotechnical explorations re surrounding wetlands.  | 01/06/99 |
| 114. | Parametrix                            | Land use history of farmland located south of Lora Lake   | 11/20/97 |
| 115. | Parametrix                            | Data form Routine Wetland Determination - SeaTac Wetland A-1  | 07/06/98 |

1	116.	Parametrix	Miscellaneous aerial photos of STIA and nearby areas	-
2	117.	Hart Crowser	Subsurface Conditions Data Report 404 Permit Support Third Runway Embankment. Hart Crowser 09/24/99 Report	07/01/99
3			Subsurface Conditions Data Report Borrow Areas 1,3, and 4	
4			SeaTac Airport Third Runway. (See Corps file no. 30.)	
5	118.	Port of Seattle	SEPA Addendum for Satellite Transit and North Esplanade Addition.	08/23/99
6	119.	Parametrix	Revised Public Notice figures	09/14/99
7	120.	Parametrix	Revised Public Notice Sheets 5 and 29 of 34 of the public notice.	09/17/99
8				
9	121.	Parametrix	Re-revised Public Notice change in title block of all 34 P.N. figures requested.	09/16/99
10	122.	Hart Crowser	Subsurface Conditions Data Report Borrow Area 1,3 and 4	09/24/99
11			SeaTac prepared for HNTB and Port of Seattle	
12	123.	Corps	Corps mailing list	09/30/99
13	124.	Corps	Revised Public Notice of Application for Permit - public hearing 11/3/99 corps will accept comments until 11/13/99.	09/30/99
14	125.	Corps	Review of SeaTac Airport Biological Assessment.	10/25/99
15	126.	Port of Seattle	Preliminary Comprehensive Stormwater Management Plan and Technical Appendices	10/29/99
16				
17	127.	Airline Pilots Association (ALPA)	Letter re: wetlands around the airport.	11/02/99
18				
19	128.	Port of Seattle	Subsurface Conditions, Data Report, 404 Permit Support, Third Runway Embankment Report and a Subsurface Conditions	10/11/99
20			Date Report, Borrow Area 1,3 and 4.	
21	129.	CH2M HILL	Peer review regarding the permit application/compliance.	11/10/99
22	130.	Holtz, Robert Ph.D., PE	Letter re: MSE wall structure.	11/10/99
23				
24	131.	Parametrix	Supplemental Airport Site Wetland and Stream Analysis. And Revised Draft - Biological Assessment.	11/12/99
25				
26	132.	FAA	The FAA Record of Decision (ROD) for the Master Plan Update July 3, 1997.	11/29/99

PRELIMINARY ISSUE, WITNESS, AND EXHIBIT LIST - 14

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1	133.	Port of Seattle	Certification of Consistency form.	12/06/99
2				
3	134.	Parametrix	Information on Biological Assessment completed for the EIS.	12/17/99
4	135.	Parametrix	Wetland Delineation Report with Appendix B	12/00/00
5	136.	Port of Seattle	SEPA Addendum to the Final Supplemental EIS issued on 5/13/97.	01/24/00
6				
7	137.	Parametrix	Responses to comment letters.	02/08/00
8	138.	Port of Seattle	Response to Sect 401 and 404 comments	03/10/00
9				
10	139.	Port of Seattle	Port Final SEPA DNS-STIA Air Cargo Development Plan and Checklist.	03/15/00
11	140.	Port of Seattle	Index of Additional Cumulative Impact Source Documents.	03/00/00
12	141.	Parametrix	Analysis of indirect impacts to wetlands from the temporary SR 509 Interchange.	05/03/00
13				
14	142.	Port of Seattle	Addendum to the Final Supp. EIS Auburn Wetland Mitigation Project	05/05/00
15	143.	Leavitt, Elizabeth - Port	Coastal Zone Management Act Consistency Statement for Port's Proposed MPU.	05/22/00
16				
17	144.	Mueller, Geoffrey - Corps	Letter re: work at STIA.	05/30/00
18				
19	145.	Port of Seattle	Archaeological Resources and Traditional Cultural Plates Assessment, King County 5/12/00.	05/31/00
20				
21	146.	Port of Seattle	STIA Master Plan Response to 401/404 comments 3/10/00.	
22	147.	Port of Seattle	STIA Master Plan Response to 401/404 comments 3/10/00. Binder #1	
23	148.	Port of Seattle	STIA Master Plan Response to 401/404 comments 3/10/00. Binder #2	
24				
25	149.	Port of Seattle	STIA Master Plan Response to 401/404 comments 3/10/00. Binder #3	
26				

PRELIMINARY ISSUE, WITNESS, AND EXHIBIT LIST - 15

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1	150.	Port of Seattle	STIA Master Plan Response to 401/404 comments 3/10/00. Binder #4	
2				
3	151.	Parametrix	Biological Assessment Study.	06/01/00
4	152.	FAA	Final Biological Assessment evaluating the effects of relevant STIA development actions on such species and their designated critical habitats.	06/15/00
5				
6	153.	Pacific Groundwater Group	SeaTac Runway Fill Hydrologic Studies Report. TESC/Stormwater Monitoring Plan 6/16/00 - Airfield Improvement Projects.	06/19/00
7				
8	154.	Feldman, Michael - Port	Monitoring Plan for the 2000 Airfield Improvements Port Project Phase 3.	06/20/00
9				
10	155.	Parametrix	Wildlife Hazard Management Plan, Revised Draft	07/07/00
11	156.	Parametrix	Copies of Implementation Addendum Report Appendices A-E.	07/17/00
12	157.	Department of Ecology	Fact Sheet for NPDES Permit WA-002465-1 STIA No date.	06/00/00
13	158.	Hart Crowser	Subsurface Conditions Data Report 404.	07/00/99
14	159.	HNTB, Hart Crowser and Parametrix	Evaluation of Retaining Wall/Slope Alternatives to Reduce Impacts to Miller Creek.	July 2000
15				
16	160.	Hart Crowser	Evaluation of Perched Zone Interception, Borrow Area 3, SeaTac Third Runway.	08/09/00
17				
18	161.	Parametrix	Summary of Key Wetland Findings of the SeaTac Runway Fill Hydrologic Studies Report.	08/11/00
19	162.	Parametrix	Summary of Key Wetland Findings of the SeaTac Runway Fill Hydrologic Studies Report.	08/18/00
20				
21	163.	DOE	SASA - Draft EIS on South Access Roadway.	08/28/00
22	164.	Port of Seattle	Draft restrictive covenants for mitigation areas.	07/25/01
23	165.	Port of Seattle	Technical Memorandum: CWA 401 Issues for Master Plan Update Projects	09/05/00
24				
25				
26	166.	Parametrix	Attachments to the Port Technical Memorandum of September	09/05/00

PRELIMINARY ISSUE, WITNESS, AND EXHIBIT LIST - 16

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1		5, 2000.	
2	167.	Port of Seattle Letter	09/28/00
3			
4	168.	Fitzsimmons, Letter Tom - DOE	09/28/00
5			
6	169.	Graves, Ralph Letter re: excavation material. Col. - Corps	10/20/00
7			
8	170.	Hart Crowser Conceptual design and support information for the proposed drainage swale to protect wetlands in Borrow Area 3.	10/20/00
9	171.	Port of Seattle JARPA Application SeaTac Master Plan Expansion Project.	10/25/00
10	172.	Port of Seattle SEPA Determination of Non-Significance (DNS) of Temporary Aircraft Parking - Taxiways Stubs.	10/26/00
11			
12	173.	Port of Seattle Final SEPA - DNS for Part 150 Noise Compatibility Planning Study	11/13/00
13	174.	Parametrix Land use history of farmland located south of Lora Lake.	11/20/97
14	175.	Port of Seattle Final SEPA - DNS for Temporary Aircraft Parking - Taxiway stubs	11/16/00
15			
16	176.	Parametrix Wildlife Hazard Management Plan.	08/01/00
17	177.	Parametrix Revised Impact/Mitigation Sheets from the JARPA.	12/13/00
18	178.	Parametrix Copies of the Biological Assessment Supplement	12/13/00
19	179.	Parametrix Corrected page of Essential Fish Habitat Consultation for Certain Master Plan Update Improvements and Related Actions	12/15/00
20	180.	Manning, Ecology memorandum - Protection Requirements for Tyee Sandra and Pond. Kenny, Ann - DOE	12/18/00
21			
22			
23	181.	Port of Seattle Revised CZM form.	01/11/01
24			
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PRELIMINARY ISSUE, WITNESS, AND EXHIBIT LIST - 17

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- 1 182. Port of Seattle POS SEPA DNS - Toll Plaza Improvements and Cooling 01/12/01  
 2 - FAA Tower Relocation 8/18/87 POS SEPA - Notice of Decision  
 3 2/26/98 POS SeaTac International Airport Hotel-Final EIS  
 4 Addendum 2/26/98 POS Final SEPA DNS and Notice of  
 5 Decision by POS Master Plan Improvements Wetland  
 6 Mitigation 9/11/98 POS-Supplemental SEPA DNS Master  
 7 Plan Improvement Wetland Mitigation Envir. Checklist 8/6/98  
 8 POS SEPA DNS - South SeaTac Electric Substation Upgrade-  
 9 Envir. Checklist 3/1/99 POS SEPA DNS - Delta Air Lines  
 10 Fuel Farm Closure and Removal Envir. Checklist 6/14/99  
 11 POS MDNS for South Terminal Expansion Project (STEOP)  
 12 Envir. Checklist 7/19/99 POS SEPA DNS - Interim  
 13 Landscape Design Standards Envir. Checklist 7/19/99 POS  
 14 Final SEPA DNS - Delta Air Lines Fuel Farm Closure  
 15 Removal 8/2/99 POS SEPA Addendum 8/23/99 POS SEPA  
 16 DNS - Industrial Wastewater System Lagoon #3 Upgrades  
 17 Expansion Envir. Checklist 12/22/99 POS SEPA DNS - Air  
 18 Cargo Development Plan Envir., 11/22/99 POS SEPA  
 19 Addendum 1/24/00 POS Final SEPA DNS of Proposed Action-  
 20 Air Cargo Development Plan 3/15/00 POS SEPA DNS - Water  
 21 System Improvements 3/23/00 Envir. Checklist 3/8/00 Final  
 22 SEPA DNS Alaska Airlines Boardroom Expansion Project  
 23 9/1/00 Envir. Checklist 8/7/00 Final SEPA DNS Aircraft  
 24 Hydrant Fueling System (AHFS) Project 10/6/00 Envir.  
 25 Checklist 10/5/00 SEPA DNS STIA Temporary Aircraft  
 26 Parking-Taxiway Stubs 10/25/00 Envir Checklist 10/2000  
 Final SEPA DNS STIA Part 150 Noise Compatibility Planning  
 Study 11/10/00 Final SEPA DNS Alaska Airlines Maintenance  
 Facility Expansion 3/30/01 Addendum to STIA
183. Peter M. Summarized findings of a panel of independent experts to 01/25/01  
 Douglass, Inc. review the technical aspects of the MSE walls.
184. Hart Crowser Letter re: Technical Review Board. 02/08/01
185. CH2M Hill Letter re: peer review of SMP. 02/13/01
186. Foster Letter re: ESA issue. 02/16/01  
 Wheeler  
 Environmental  
 Corp.
187. Hart Crowser Shannon & Wilson, Inc. peer review letter. 02/14/01
188. Cosmopolitan Dissolved Oxygen Deicing Study. 08/01/99  
 Engineering

PRELIMINARY ISSUE, WITNESS, AND EXHIBIT LIST - 18

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1	Group		
2	189. Port of Seattle	Final SEPA Determination of DNS of Proposed Demolition of Former Sunset Activity Center.	02/23/01
3	190. Port of Seattle	Addendum to the STIA North Electric Service Upgrade DNS.	03/06/01
4	191. Port of Seattle	SEPA DNS - Alaska Airlines Maintenance Facility Expansion.	03/08/01
5	192. Parametrix	Responses to comments by Amanda Azous and Dyanne Sheldon.	03/19/01
6	193. Graves, Ralph Col.-Corps	Letter re: work at STIA.	03/03/01
7	194. Hart Crowser	Geotechnical Input to MSE Wall and Reinforced Slope Design Third Runway Embankment	08/21/00
8	195. Port of Seattle	POS STIA Master Plan Update Section 404 Issues - Wetland Functional Assessment and Impact Analysis December 2000/April 2001.	04/16/01
9	196. Hart Crowser	Preliminary Stability and Settlement Analyses Subgrade Improvements MSE Wall Support Third Runway Project.	06/00/00
10	197. Port of Seattle	Port's response to comments - Master Plan Update Improvements at STIA Vol. 1.	04/30/01
11	198. Port of Seattle	Port's response to comment letters received on the Master Plan Update Improvements at STIA vol. 2.	04/30/01
12	199. PSRC	Major Supplemental Airport Feasibility Study - Summary Report	03/23/95
13	200. Hart Crowser	Probabilistic Seismic Hazard Analysis Results Memorandum	10/08/99
14	201. Parametrix	Supplemental Airport Site Wetland and Stream Analysis, prepared for the Port.	11/22/99
15	202. Parametrix	Wetland photographs and maps of master plan update improvements.	05/01/01
16	203. Terzi, Gail - Corps	Review of Dissolved Oxygen Deicing Study, prepared by Cosmopolitan Engineering Group, dated August 1999.	06/01/01
17	204. Hart Crowser	Probabilistic Seismic Hazard Analysis Results Memorandum	10/08/99
18	205. Hart Crowser	Draft Stability Review of RECo 30% Design Third Runway Embankment	11/09/00
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PRELIMINARY ISSUE, WITNESS, AND EXHIBIT LIST - 19

**FOSTER PEPPER & SHIEFELMAN PLLC**  
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1	206.	Hart Crowser	Draft Geotechnical Engineering Analyses and Recommendations Third Runway Embankment	12/04/00
2				
3	207.	Hart Crowser	Additional Information on the Seismic Design	01/25/01
4	208.	Hart Crowser	Draft Memo Revised Methods and Results of Liquefaction Analyses	03/05/01
5				
6	209.	Johnson, Lowell - FAA	Additional information on the mechanically stabilized earth (MSE) wall; section 106 activities.	06/19/01
7	210.	Summerhays, Jeannie - DOE and Port of Seattle	Letter re: CZMA deadline.	06/21/01
8				
9	211.	Hart Crowser	Hart Crower December 8, 2000 report - Third Runway Project Borrow Areas 1,3 and 4 Projected Impacts Wetlands (revised).	06/22/01
10				
11	212.	Hart Crowser	Avoidance of Wetland Impacts Temporary Stormwater Pond at SeaTac Third Runway.	06/18/01
12				
13	213.	Hart Crowser	Figure 1 Draft Post-Reclamation Topographical Drainage Facilities. Figure 2 Draft Typical Cross Section. Figure 3 Draft Post-Reclamation Topographical Detail. Figure 4 Draft Proposed Wetland Protection Swale Profile and Cross Section.	06/28/01
14				
15	214.	Parametrix	Revised grading plan and planting plan for the wetland mitigation site in Auburn.	06/29/01
16				
17	215.	Parametrix	Tables on final performance standards; evaluation approach and contingency measures for the Auburn wetland mitigation project and the mitigation projects at the Vacca Farm, replacement channels.	07/12/01
18				
19	216.	King County Department of Natural Resources	Review of low flow impacts, and the proposed facilities for offsetting identified impacts.	08/03/01
20				
21	217.		Resume and curriculum vitae for all expert witnesses not listed above, including Paul Agid, Michael Bailey, Barry Christopher, Peter M. Douglas, Dr. I.M. Idriss, James K. Mitchell, James Thomson, William Stubblefield, Kevin Brix, Linn Gould, Elizabeth Clark, John Strunk, Joseph Brascher, and Charles Ellingson	
22				
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1 Submitted this 10<sup>th</sup> day of October 2001.

2 PORT OF SEATTLE

3 *Roger A Pearce for*

4 Linda J. Strout, General Counsel, WSBA No. 9422  
5 Traci M. Goodwin, Senior Port Counsel, WSBA No. 14974

6 FOSTER PEPPER & SHEFELMAN PLLC

7 *Roger A Pearce*

8 Roger A. Pearce, WSBA No. 21113  
9 Steven G. Jones, WSBA No. 19334

10 MARTEN & BROWN LLP

11 *Roger A Pearce for*

12 Jay J. Manning, WSBA No. 13579  
13 Gillis E. Reavis, WSBA No. 21451

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POLLUTION CONTROL HEARINGS BOARD  
FOR THE STATE OF WASHINGTON

Airport Communities Coalition,

Appellant,

No. PCHB 01-160

v.

CERTIFICATE OF SERVICE

Department of Ecology and  
The Port of Seattle,

Respondents.

Holly Simmelink, Certified PLS, certifies that, on October 10, 2001, I served Respondent Port Of Seattle's Preliminary List Of Issues, Witnesses And Exhibits on the following persons at the facsimile number indicated:

Joan Marchioro  
Tom Young  
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Ecology Division  
2425 Bristol Court SW (98502)  
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FAX (360) 586-6760

Peter J. Eglick  
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Rachael Paschal Osborn  
2421 W. Mission Avenue  
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I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Executed this 10<sup>th</sup> day of October 2001, at Seattle, Washington.

  
Holly Simmelink, Certified PLS

CERTIFICATE OF SERVICE - 2

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