



Issues Resolved:

- Wetland Mitigation Ratio: 2:1 out-of-basin and 1:1 in-basin.
- Retaining Wall: Port will adhere to no more than the existing proposed footprint, no matter what.
- Stormwater Manual: Port will comply with Ecology and King County Manuals.
- Stormwater Detention: Port will provide Level 2 detention for entire airport.
- Other...

Issues Yet to be Resolved:

401-related Stormwater Issues (primarily from 401/402 matrix):

Stormwater: is the 401/402 matrix adequate and acceptable? – Kevin and I agree on what's on the matrix; is anything missing?

Stormwater: layout, design, footprint, impacts, and mitigation of facilities – where are the stormwater facilities going to be located, what wetland/water quality impacts are involved, and what mitigation is needed?

Stormwater: construction schedule – when will the various facilities be built, and how will the construction schedule be coordinated with the various project elements coming on line?

Stormwater: retrofit requirements – same as above two items for new facilities.
– except original certification.

Stormwater: de-icing/dissolved oxygen study – still need approvable study. Kevin sent comment letter on Port's latest submittal.

Stormwater: use of Northwest Ponds as mixing zones – Port is probably not at AKART to allow this.

Stormwater: role of the RDF – how do we provide adequate review of the Port's proposal to use the RDF for detention, when the RDF is still in its conceptual stage and has not been through SEPA or permitting?

- includes several (?) acres of wetland impacts.
- may require adjustment from guidelines in King County Manual stating no stormwater facilities to be located in wetlands.

Possible response: we could either require the Port to install wet vaults unless the RDF was built by a certain date, or require the Port to ensure the RDF is built by a certain date and if not, install wet vaults adequate to detain the required amount (the latter was our approach in the previous certification).

Stormwater: is the Port's proposal in compliance with the Ecology and King County Stormwater Manuals? – the Port's current proposal includes several elements and assumptions that may not meet one or both manuals, including -- 10% impervious assumption (rather than 100% till-pasture, which was required in previous certification of RDF in wetlands (see above).

Recommended response – ask the county to review the Port's proposal to assess consistency with King County Manual. – based on DIFB embodied in KC Manual

Other Water Quality Issues:

- Will there be a major gene? - salt-temperature fluctuations - sedimentation

Is the Port currently in compliance with its NPDES Permit? - recent DMRs show concentrations possibly needing a response from Port (per comment letter from Greg Wingard). Kevin F. says the Port is currently in compliance with the permit, however. If an issue, does it need to be resolved before 401 decision?

Effect of 303(d) listing - does Ecology need to complete any 303(d) or TMDL work on Des Moines or Miller Creeks before making a permit decision?

Wetlands/FAA language - we have not yet received the Port's proposed language for allowable activities in the wetland mitigation areas and buffers. We will need to review and approve language in conjunction with the FAA, Corps, and the Port before making our 401 decision.

Water Quantity Issues:

compactings at mit sites = 1/15/98 - state of Auburn site? - Corps into Corps - Ord. 5027 - good comm. but state is willing to consider mit

Instream Flows - the Port's proposed project will result in a reduction in flows in Des Moines Creek. The creek has already been identified in the Basin Plan as having low base flows that are resulting in impaired uses. The Port needs to provide some form of flow augmentation - in the previous certification, the Port had included a 1cfs flow from a golf course well as part of its mitigation package, but the Port later found that the water right for this well belonged to the Highline Water District. We do not yet have a replacement mitigation element.

Flow Augmentation/Wetlands - does the Port's mitigation proposal in the Tye Golf Course area depend in part on water from the RDF? If so, can we approve the mitigation when the RDF is still conceptual and has not received the necessary permit review?

- total storage - effect of peat removal?

GM study in RDF due in June

Other Various Issues:

SEPA/new fuel system - we received a letter from Al Furney stating that the Port needed to incorporate review of the proposed new fuel system into its SEPA review.

7 new electrical

Clean Fill Criteria - we have received several comments regarding the potential use of Maury Island fill material and the possibility of arsenic from that material entering ground or surface waters.

Corps will require fill to meet state standards

Legal - the Port currently has a request for declaratory judgment in front of the PCHB in February 2000. Because the Board's decision on this request will affect the types of conditions we can or can't put on the 401, Ecology needs to decide whether to make our 401 decision before the Board's decision, hold our 401 until the Board decides, or request the Port to withdraw their appeal.

CZM Notice - the Port sent an out-of-date CZM notice along with the latest application. It references their 1996 proposal, not their most current one. The Corps requested an updated version, but has not yet received it.

MTCA - does the Ecology/Port agreement (per Greg W. letter) meet MTCA requirements? If not, are there water quality implications to be addressed?

Should our 401/CZM decision be tied to completing the aquifer studies? - will we have adequate information for purposes of 401 before the aquifer studies are completed?

Process – is there adequate information and opportunity to comment provided by the Corps/Ecology Public Notice issued 9/30/99? Corps will respond to concerns by extending their deadline to match Ecology's November 23 deadline.

Shoreline Permit – does the Port need a shoreline permit for the Auburn mitigation site, or is the work covered by a WDFW exemption?