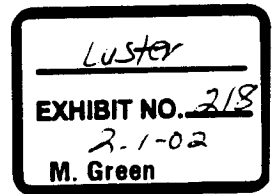


Sea-Tac Airport Third Runway 401 Permit Negotiations

DRAFT MEETING NOTES

October 27, 2000
9:30 – 3:30



These draft meeting notes have been prepared by Kate Snider, Floyd & Snider Inc. Please reply to Kate at (206) 292-2078, fax (206) 682-7867, kates@floyd-snider.com with comments on the accuracy of these notes by 5pm, Wednesday, 11/1/00.

ATTENDEES

Ray Hellwig, Dept. of Ecology
Kevin Fitzpatrick, Dept. of Ecology
Ann Kenny, Dept. of Ecology
Chung Ki Yee, Dept. of Ecology
Tom Luster, Dept. of Ecology
David Garland, Dept. of Ecology
Michael Cheyne, Port of Seattle
Elizabeth Leavitt, Port of Seattle
Keith Smith, Port of Seattle

Kelly Whiting, King County
David Masters, King County
Paul Fendt, Parametrix
Alan Black, HNTB
Rick Schaefer, Earth Tech
Charles (Pony) Ellingson, PGG
Michael Bailey, Hart Crowser
Kate Snider, Floyd & Snider Inc.
Rachel McCrea, Floyd & Snider Inc.

MEETING AGENDA OVERVIEW

- Stormwater Master Plan Update
- Base Flow Update
- Tye Pond buffer
- Ecology Staffing: 401, NRMP review, King County

DEFINITION OF TERMS USED IN THESE NOTES

Resolution (general): The use of variations of the term "resolution" are for the purposes of these negotiations and refer only to the work of these technical negotiations between the Port of Seattle and the Department of Ecology. The terms are not intended to imply that, through these negotiations only, any issue has reached "final" resolution. Final resolution is subject to Ecology's receipt and approval of necessary documentation, subsequent public review and comment, evaluation of public comment and the final permit decision.

Resolved: The term "resolved" is used in these notes to mean that subsequent discussion of the issue is not necessary in these negotiations. This term assumes that subsequent documentation submitted on these issues will be consistent with the meeting discussions, and be adequate for public review.

Resolution Pending Review of Additional Information: This phrase is used to indicate that a possible or likely solution to the issue was identified in the meeting. Additional information will

be submitted for review, and further discussion in these meetings will determine whether the issue is "resolved".

Action Items Defined for Further Discussion: This phrase is used to indicate that the issue was discussed, and action items defined for the production of additional information or documentation. Following submittal of such additional information, the issue requires further discussion.

DOCUMENTATION OF NEGOTIATIONS: MASTER LIST OF ISSUES

Ecology and the Port have agreed to maintain a single "master list of issues" that is updated at each meeting during these negotiations. It has been agreed that individual participants in these negotiations will not maintain other lists of issues separate from this master list. The following summary table is used to document this master list of 401 Permit technical issues.

All issues are included on the list that have been identified by the Port or Ecology for resolution prior to issuance of the 401 permit. Resolution of these issues is the purpose of these technical negotiations. It is recognized that additional issues requiring resolution may be identified through public comment.

Definition of these issues and actions to resolve are included in meeting notes. Any comment on this master list of issues should be directed to Kate Snider at Floyd & Snider.

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
Administrative				
• Documentation, master list of issues	✓			
1. Stormwater Master Plan – Detention Sizing				
Key Issues Discussed 10/2				
• Basin Acreage Discrepancies	✓			
• Use of different Target Flow Regimes for different basins	✓			
• Permeability assumptions of Airport fill material	✓			
• Infiltration evaluation of existing pond locations	✓			
• Project effect on Base Flows		✓		
• Use and documentation of HSPF and KCRS models	✓			
• North Employees Parking Lot		✓		
• SDW2 land use conditions	✓			
• SASA facility volumes		✓		
• SASA facility compliance with KC off-site flow criteria		✓		
• SDS-7, SDS3-A, SDS-3, SDS-2, 5, 6 collection areas		✓		

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
• New information for Walker Creek calibration		✓		
• IWS model input consistency with SMP	✓			
• SDE-3 conditions	✓			
Add'l Issues Discussed 10/6				
• IWS Pump station overflow modeling	✓			
• IWS Pump station land use values	✓			
• IWS Pump station routing of water quality design storm	✓			
• IWS Lagoon capacities	✓			
• Modeling of potential IWS Lagoon overflow	✓			
• Filter Strip BMPs	✓			
• IWS treatment performance	✓			
• SDN1-OFF	✓			
• SDN-6 Cargo	✓			
• SDW1B impacts to Wetland 39B	✓			
• Des Moines Creek Basin Plan consistency	✓			
• All items in the 9/14/00 King County comment letter not specifically listed above	✓			
2. Flow augmentation for Des Moines Creek	✓			
3. Potential South Access Road impacts to Tye Pond	✓			
4. Borrow Site #3 hydrology		✓		
5. HPA / 401 issuance relationship	✓			
Add'l Issues Raised by Ecology on 10/10				
• Potential impacts of SR 509 Interchange		✓		
• Potential aquitard breaches in Walker Creek basin		✓		
• Runway De-icing / Dissolved Oxygen study		✓		
• Compliance with Kludt settlement	✓			
• Contaminated soil stockpile facility	✓			
• Structural feasibility of proposed big vaults	✓			
• NEPA /SEPA revision timing	✓			

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
Natural Resources Mitigation Plan (Issues raised by Ecology on 10/10, discussed 10/13)				
• NRMP consistency with SMP	✓			
• Maintenance of wetland 18, 37, 39B hydrology	✓			
• NRMP incorporation of technical responses to previously identified issues	✓			
• S. Access Road/Tyee Pond Impacts	✓			
• Vacca Farm floodplain habitat design elements	✓			
• Stormwater pond cross sections	✓			
• Performance standards	✓			
• Documentation of indirect impacts	✓			
• Wetland delineations	✓			
• Documentation of Miller Creek buffer	✓			
• Fencing/signage for buffers/mitigation areas	✓			
• Restrictive Covenant for Auburn mitigation site	✓			
• Buffer planting in area of potential RDF	✓			
• Wetland impact analysis of IWS expansion	✓			
• Source of irrigation water for mitigation areas	✓			
• Mitigation Fund	✓			
NPDES Major Modification	✓			
Add'l Issues Raised by Ecology on 10/20				
• Timing of Corps public notice	✓			
• Temp. const. staging area w/in SASA footprint		✓		
• Water quality BMPs (401/402)	✓			
• Lagoon #3 potential direct impacts	✓			
• Add'l wetlands on Auburn site	✓			
• 401 relationship to A.O./Gov. Cert. for MTCA GW study	✓			
• Potentially contaminated properties in S Runway Protection Zone	✓			
• Soil Quality at Borrow Sites	✓			

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
• Potential confirmation of groundwater quality w/in embankment			✓	
• Construction stormwater management	✓			
• Clean Air and CZM	✓			
• Compatibility of potential RDF and Tyee mitigation	✓			
Add'l SMP Issues Identified on 10/27				
• SDW1A facility sizing		✓		
• SMP Clarification regarding water quality BMPs	✓			

STORMWATER MASTER PLAN UPDATES

King County and Ecology will be discussing status of SMP review with the Corps at 3:30 on Monday, 10/30.

BASIN UPDATE: DES MOINES CREEK

RESOLUTION PENDING REVIEW: King County received and reviewed the materials provided for Des Moines Creek Basin. The materials were discussed at the 10/24 meeting, and items were identified to clean up the documentation. King County stated that based on the existing information in the SDS basins draining to the west branch of Des Moines Creek, the west branch mitigations are acceptable under King County standards. King County will review the hydrology of the east branch SASA facility and provide comments 10/30.

Issue Update: SASA facility compliance with KC off-site flow criteria

RESOLUTION PENDING REVIEW: King County received justification documentation for a waiver of these King County criteria. King County is willing to support the waiver of off-site flow criteria to leave the facility in-line as long as an evaluation shows cumulative flow conditions at 200th monitoring station are acceptable. This evaluation should be performed following changes to some land use values for the watershed, as defined on 10/24.

Issue Update: Structural feasibility of proposed big vaults

RESOLVED: Port submitted materials to Ecology and King County regarding the structural feasibility of big vaults.

BASIN UPDATE: WALKER CREEK

RESOLUTION PENDING REVIEW: Walker Creek Basin pond sizing / HSPF and KCRTS model runs (appendix A) and calibration documentation (revised Appendix B) have been submitted to King County.

Issue Update: 509 Interchange

RESOLUTION PENDING REVIEW: King County received the 509 interchange materials. These materials will be reviewed after 11/16 and annotated final comment will be provided to Ecology, per schedule and process discussion (see below).

BASIN UPDATE: MILLER CREEK

RESOLUTION PENDING REVIEW: Source of error in runoff files was found 10/25 in the fill parameters of the HSPF model. Pond sizing and model runs (Appendix A), except for NEPL and SDW1A, will be submitted to King County 10/27.

Issue Update: North Employees Parking Lot

RESOLUTION PENDING REVIEW: NEPL detention facility was constructed in 1997 based on the then-current 1990 KC manual requirements with City of SeaTac review. KC manual does currently vest facilities constructed under past requirements, although this policy is changing. Based on today's KC manual, if NEPL were to be constructed today by itself, it would require a Level 1 continuous flow model or a Level 2 if there were evidence of downstream erosion. Although this facility has already been constructed, it is included as a master plan project. Current modeling as a master plan project, with basin-specific parameters and consistent flow control requirements for all basins, yields an ever-increasing facility size, unable to be fully drained.

Options for addressing this subbasin that were discussed include:

- Accept existing NEPL facility, understanding that future potential facility alterations could be determined and required under the NPDES permit. The 401 would be conditioned to require monitoring at the NEPL vault outlet (concurrent with Miller Creek Detention/Lake Reba) and monitoring for downstream erosion. Potential impacts, if found, could be addressed through a basin plan project or a 402 amendment. This approach would allow recommendations of the Miller Creek Basin Plan to be taken into account, such as for target stream flow performance standards.
- Utilize regional soil parameters (rather than basin-specific); would likely result in requirement for approximately 18 additional ac/ft of storage
- Water re-use to augment summer Miller Creek flows, with appropriate storage volume
- High flow bypass to direct discharge to Puget Sound
- Infiltration (potentially restricted in aquifer protection area)

The Port and Ecology will further discuss options.

New Issue: SDW1A facility sizing

RESOLUTION PENDING REVIEW: SDW1A, one of 4 proposed Miller Creek facilities, is in a subbasin consisting of a large portion of fill. This is causing pond sizing difficulties similar to NEPL - ever-increasing facility size, unable to be fully drained. Parametrix will prioritize evaluation of infiltration or water reuse to address problem. If infiltration includes pumping,

pump maintenance would need to be addressed. A water reuse option would need to address quality of stored and released water. If low permeability or high groundwater underlies outwash soils, these soils may be modeled as till, which may change the pond sizing requirements.

New Issue: SMP Clarification regarding water quality BMPs

RESOLVED: Parametrix will clarify in the SMP text that proposed SMP facilities would not prevent implementation of Ecology's new Storm Water Manual (January 2001) water quality BMPs through the Port's NPDES permit.

Issue Update: Modeling of Potential IWS Lagoon 3 Overflow

RESOLVED: Material from the Kennedy-Jenks report, and additional modeling has resolved this issue. Modeling concludes lagoon will not overtop with current processing rates. This independent analysis will be added to the SMP, and does not need to be added in the SMP stream modeling. A minimum processing rate to prevent overtopping will be defined for reference to IWS lagoon operation manual. Parametrix will ensure volume used in model is consistent with volume presented in Feb 2000 Kennedy-Jenks report.

King County conversations with the Port have resolved additional questions that were identified on 10/24 regarding statements made in the Kennedy-Jenks report. Review of other SMP-related IWS issues concluded that they have been resolved.

Issue Update: Project Effect on Base Flows

RESOLUTION PENDING REVIEW: A summary of ongoing base flow work was presented. Modeling has been performed by both PGG and Hart Crowser to evaluate the effect of the embankment on creek base flows. Both studies support a delayed water discharge effect from the embankment fills to the creek, potentially augmenting late-summer Miller Creek low flows. Efforts are underway to extrapolate the unit-area results for the full fill footprint. Embankment behavior results will be integrated with HSPF results and nonhydrological effects to develop a combined evaluation of net project effect on base flows, focusing on the August/September low flow periods, at specific in-stream locations. The study does not currently take into account secondary infiltration of runway pavement runoff. This input could be evaluated if analysis without it identifies a potential base flow concern.

The product of this work effort will be a technical memo that can be referenced by both the SMP and NRMP. The base flow technical memo is expected to be submitted for Ecology review mid-November.

Issue Update: Potential aquitard breaches in Walker Creek basin

RESOLUTION PENDING REVIEW: Hart-Crowser will evaluate the proposed Walker Creek detention facility excavation relative to the integrity of the underlying confining "aquitard" layer.

Issue Update: NRMP incorporation of technical responses to previously identified issues

RESOLVED: Ecology reported that previously submitted technical responses should be incorporated into the NRMP without further internal review.

ECY00009150

UPDATE: SOUTH ACCESS / TYEE POND

RESOLVED: The Port evaluated the feasibility of a buffer for Tyee Pond and east and west Des Moines Creek, and provided Ecology with a map of the proposed buffer. Ecology feedback is requested, although the proposal may be included in the revised NRMP if no feedback is given within the time allowed. The Port will submit Restrictive Covenant language to Ecology.

ECOLOGY STAFFING TRANSITION**401 Permit**

Approximately 2 years ago, Ecology's 401 function was regionalized, however T. Luster (headquarters) remained on the SeaTac 401 project because the project was thought to be close to completion. With the Port's decision to withdraw and re-submit the application, Ecology has chosen to be consistent with 401 regionalization and transition the project to Ann Kenny (NWRO). T. Luster's primary responsibilities are with policy and guidance development. T. Luster and A. Kenny will coordinate transition. T. Luster will be available to A. Kinney and R. Hellwig as needed for continued consultation regarding the project. A. Kenny reports to Jeannie Sommerhays. The Port will organize a site tour with A. Kenny. All deliverables and inquiries regarding the project are to be directed to A. Kenny.

NRMP Review

Ecology has selected Dianne Sheldon to provide contract assistance for NRMP final review. E. Stockdale will be available for internal consultation and backup review.

King County participation

King County will maximize comments on prioritized SMP items before 10/31 (SASA, Walker calibration and detention, Miller detention). Ecology and the Port do not expect need for KC review during 10/31-11/16 period. It was determined that King County review of 509 interchange material could wait until after 11/16. The final draft SMP and other documents for re-notice will be completed by the Port by 11/16. KC review of final draft SMP will occur 11/16-12/4. Final comments to Ecology are expected by 12/4. The expectation is that the same final draft SMP version proved to KC 11/16 will be the version that goes to public re-notice.