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POLLUTION CONTROL HEARINGS BOARD
FOR THE STATE OF WASHINGTON

AIRPORT COMMUNITIES COALITION,)	PCHB No. 01-160
)	
Appellant,)	ACC'S INTERROGATORIES NOS. 1-19
)	AND REQUESTS FOR PRODUCTION
v.)	NOS. 1-6 TO PORT OF SEATTLE AND
)	PORT OF SEATTLE'S OBJECTIONS
STATE OF WASHINGTON)	AND RESPONSES THERETO
DEPARTMENT OF ECOLOGY, and)	
THE PORT OF SEATTLE,)	
)	
Respondents.)	

The Port of Seattle ("Port"), by and through its counsel of record, submits the following objections and responses to ACC's Interrogatories Nos. 1-19 and Requests for Production Nos. 1-6 to Port of Seattle ("ACC's First Requests"). To set off the Port's objections and responses from the text of the ACC's First Requests, the Port's objections and responses will be set forth in bolded and single-spaced text.

The Port will interpose its General Objections to ACC's First Requests prior to providing particularized objections and responses to any individual interrogatory or request for production propounded by ACC. The fact that a particular general objection is not identified in response to a particular interrogatory should not be interpreted as a waiver of any general objection; furthermore, nothing set out in specific objections constitutes a waiver of any general objections.

TO: PORT OF SEATTLE ("Port");
AND TO ITS COUNSEL: Jay Manning and Gillis Reavis, Marten Brown, Inc.;
Roger Pearce and Steven Jones, Foster Pepper & Shefelman;
Linda Strout and Traci Goodwin, Port of Seattle

ACC'S INTERROGATORIES AND REQUESTS FOR
PRODUCTION NOS. 1-6 TO PORT OF SEATTLE AND
PORT'S OBJECTIONS AND RESPONSES

FOSTER PEPPER & SHEFELMAN PLLC
1111 THIRD AVENUE, SUITE 3400
SEATTLE, WASHINGTON 98101-3299
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1 **ANSWER:**

2 **Steven Jones, Roger Pearce, Tom Walsh, Jay Manning, and the experts listed in the**
3 **answers to interrogatories below.**

4
5 **REQUEST FOR PRODUCTION NO. 1:** Please produce all documents within your
6 control relating or otherwise pertaining to facts stated in your answer to the preceding
7 interrogatory.

8 **RESPONSE:**

9 **In addition to and without waiving its General Objections, the Port objects to this**
10 **request as unintelligible. There are no documents relating to the question of who was**
11 **consulted in connection with the preparation of these responses.**

12 **INTERROGATORY NO. 2:** Identify each person you intend to use as an expert witness
13 in this matter.

14 **ANSWER:**

- 15 1. **Paul Agid**
16 **Port of Seattle**
17 **Aviation Project Management Group**
18 **17900 International Blvd., Suite 301**
19 **SeaTac, WA 98188**
- 20 2. **Barry R. Christopher, Ph.D. PE**
21 **210 Boxelder Lane**
22 **Roswell, GA 30076**
- 23 3. **James C. Kelley, Ph.D.**
24 **Parametrix, Inc.**
25 **5808 Lake Washington Blvd. NE, Suite 200**
26 **Kirkland, WA 98033-7350**
4. **Dr. James K. Mitchell, Ph.D., PE**
 Geotechnical Engineer
 209 Mateer Circle
 Blacksburg, VA 24060

ACC'S INTERROGATORIES AND REQUESTS FOR
PRODUCTION NOS. 1-6 TO PORT OF SEATTLE AND
PORT'S OBJECTIONS AND RESPONSES - 8

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- 5. **William Stubblefield, Ph.D.**
ENSR Toxicology
4303 West LaPorte Avenue
Ft. Collins, CO 80521

- 6. **Donald E. Weitkamp, Ph.D.**
Parametrix, Inc.
5808 Lake Washington Blvd. NE, Suite 200
Kirkland, WA 98033-7350

- 7. **Paul S. Fendt, P.E.**
Parametrix, Inc.
5808 Lake Washington Boulevard Northeast
Kirkland, Washington 98033

- 8. **Michael Bailey, P.E.**
Hart Crowser, Inc.
1910 Fairview Ave. E.
Seattle, WA 98102-3699

- 9. **Norman Crawford, Ph.D.**
Hydrocomp, Inc.
2386 Branner Dr.
Menlo Park, CA 94025

- 10. **John Strunk**
Associated Earth Sciences Inc.
179 Madrona Lane N.
Bainbridge Island, WA 98110

- 11. **Joseph Brascher**
Aqua Terra Consultants
Olympia, Washington

- 12. **Charles Ellingson**
Pacific Groundwater Group
2377 Eastlake Avenue E.
Seattle, WA 98102

- 13. **Jan Cassin, Ph.D.**
Parametrix, Inc.
5808 Lake Washington Blvd. NE
Kirkland, Washington 98033

- 14. **Charles Wisdom, Ph.D.**
Parametrix, Inc.
5808 Lake Washington Blvd. NE
Kirkland, Washington 98033

ACC'S INTERROGATORIES AND REQUESTS FOR
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15. **Mary Vigilante**
Synergy Consultants, Inc.
4742 42nd Ave. SW, Suite 9
Seattle, WA 98116
 16. **William Dunlay, Ph.D.**
Leigh Fisher Associates
P.O. Box 8007
San Francisco International Airport
San Francisco, CA 94128
 17. **Mike Riley, P.E.**
S.S. Papadolpolous & Associates, Inc.
222 Kenyon Street, N.W.
Olympia, WA 98502
 18. **Steve Swenson, P.E.**
R.W. Beck, Inc.
1001 4th Avenue, Suite 2500
Seattle, WA 98104

12 The Port may name additional experts as necessary to rebut claims and allegations
13 raised by ACC experts and to rebut and/or address issues uncovered during the process of
14 discovery, including depositions of ACC's proposed witnesses.

15 INTERROGATORY NO. 3: For each person identified in the preceding interrogatory,
16 state with particularity

- 17 a. the subject matter on which the expert is expected to testify;
- 18 b. the substance of the facts and opinions to which the expert is expected to testify;
- 19 and
- 20 c. a summary of the grounds for each opinion.

21 ANSWER:

22 See all General Objections. In addition to, and without waiving any of those General
23 Objections, the Port responds as follows:

- 24 1. **Paul Agid. Mr. Agid will testify regarding the Agreed Order entered into**
25 **between the Port and the Department of Ecology regarding the clean up of contaminated**
26 **sites within the Airport Operation and Maintenance Area, the likelihood of migration of**
that contamination, particularly in light of the Port's construction of Master Plan Update
projects. Mr. Agid will testify that the Port is currently abiding by the terms of the Agreed
Order, is currently working on identification and clean up of contaminated sites and that

ACC'S INTERROGATORIES AND REQUESTS FOR
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PORT'S OBJECTIONS AND RESPONSES - 10

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1 there is no likelihood of migration of contamination based on the construction of MPU
2 projects. The grounds for Mr. Agid's opinions are the Agreed Order, his supervision and
3 work on testing of sites at the Airport, his ongoing work with Ecology on the implementation
4 of the Agreed Order and his familiarity with the Master Plan Update projects, including the
5 third runway embankment.

6
7 2. Barry Christopher, Ph.D. Mr. Christopher is one of the members of the
8 Technical Review Panel who have reviewed the design of the MSE wall. Mr. Christopher
9 will testify regarding the design of the MSE wall. He will testify that the MSE wall design is
10 sound, complies with appropriate engineering standards and is appropriately designed to
11 withstand likely seismic disturbances. His testimony will be based on his own review of the
12 wall design as part of the Technical Review Team.

13
14 3. James C. Kelley, Ph.D. Mr. Kelley was the project lead at Parametrix, Inc. on
15 the delineation of wetlands, assessment of wetland function and design and implementation
16 of the Port's Natural Resources Mitigation Plan ("NRMP"). He will testify that the Port's
17 NRMP will provide complete mitigation of all wetland functions for wetlands that will be
18 impacted in connection with the Port's proposed MPU projects, the design of the NRMP,
19 and the mitigation proposed for those wetlands. Mr. Kelley may also provide testimony
20 regarding other impacts of the project on wildlife habitat and the mitigation of those
21 impacts. His testimony will be based on his own observations and sampling, as well as his
22 review of field data and samples collected by others supervised by him or by other Port
23 consultants, the scientific literature and his own expertise and experience as a wetlands
24 biologist.

25
26 4. Dr. James K. Mitchell, Ph.D., P.E. Dr. Mitchell is a member of the Technical
Review Panel who have reviewed the design of the MSE wall. Dr. Mitchell will testify
regarding the design of the MSE wall. He will testify that the MSE wall design is sound,
complies with appropriate engineering standards and is appropriately designed to withstand
likely seismic disturbances. His testimony will be based on his review of the wall design as
part of the Technical Review Team for the MSE wall.

5. William Stubblefield, Ph.D. Dr. Stubblefield will testify regarding the
application of numeric water quality standards in the context of the Port's stormwater
management system and the construction and operation of the Port's proposed MPU
projects. He will also testify regarding the preparation of a Water Effects Ratio and
development site-specific water quality standards at the Port, consistent with the
requirements imposed in the 401 Certification. The substance of Dr. Stubblefield's
testimony will be that the Port can comply with applicable water quality standards and that,
once a WER has been completed, the Port will be able to comply with any site-specific water
quality standards. Dr. Stubblefield's testimony will be based on his own review of Port
records, sampling conducted for the preparation of the WER, and his professional
experience as a practicing professional in the field of water quality.

1 6. **Donald E. Weitkamp, Ph.D.** Dr. Weitkamp will testify regarding wildlife
2 **habitat in Miller, Walker and Des Moines Creeks and the impact of the Port's proposed**
3 **MPU projects on that habitat. The substance of Dr. Weitkamp's testimony will be that the**
4 **construction of the MPU projects will not have a deleterious effect on aquatic habitat,**
5 **resources and fauna in those creeks. His testimony will be based on his review of**
6 **precipitation records, review of the proposed improvements, the NRMP and Low Flow**
7 **Mitigation Plan, the Biological Assessment prepared for the federal resource agencies, along**
8 **with his professional experience as a working professional in the field of water quality,**
9 **fisheries biology and wildlife habitat.**

10 7. **Paul S. Fendt, PE.** Mr. Fendt is the project manager at Parametrix, Inc. for
11 **the design of the Port's Comprehensive Stormwater Management Plan and the Port's Low**
12 **Flow Mitigation Plan. The substance of Mr. Fendt's testimony will concern the design of the**
13 **CSMP and the Low Flow Mitigation Plan, and the fact that both of those plans will be**
14 **effective in managing and mitigating stormwater impacts arising from the Port's proposed**
15 **MPU projects so that the stormwater can meet state water quality standards. Mr. Fendt**
16 **will also testify regarding the modeling of the low flow impacts arising from the Port's MPU**
17 **projects. His testimony will be based on data collected by him or by those he supervised or**
18 **by other Port consultants, his own work or the work of those he supervised and his**
19 **professional experience.**

20 8. **Michael Bailey, P.E.** Mr. Bailey is the project manager on the design of the
21 **embankment and the MSE wall at Hart Crowser. The substance of Mr. Bailey's testimony**
22 **will concern the design of the embankment and MSE wall. Mr. Bailey will testify that the**
23 **design of the embankment and the MSE wall is sound, complies with appropriate**
24 **engineering standards and is appropriately designed to withstand likely seismic**
25 **disturbances. His testimony will be based his own review of data collected by himself or**
26 **those he supervises, as well as review of data and design materials collected and produced by**
27 **other Port consultants.**

28 9. **Norman Crawford, Ph.D.** Dr. Crawford is a principal at Hydrocomp, Inc. He
29 **was engaged by the Port to undertake an independent review of modeling done for the Low**
30 **Flow Mitigation Plan and to make recommendations on that modeling based on his review.**
31 **The substance of Dr. Crawford's testimony will be that the modeling undertaken for the**
32 **Low Flow Mitigation Plan represents an accurate depiction of the likely impacts of the**
33 **Port's MPU projects on Des Moines, Miller and Walker Creeks. His testimony will be based**
34 **on the modeling data supplied to him by the Port's consultants and his own application of**
35 **the HSPF model to that data.**

36 10. **John Strunk.** Mr. Strunk is a professional geologist with Associated Earth
37 **Sciences, Inc. He was engaged by the Port in connection with an in-depth groundwater**
38 **evaluation at the Airport. Mr. Strunk will testify regarding the likelihood of any existing**
39 **contamination to migrate from the isolated, contaminated sites on the Airport, particularly**
40 **in the AOMA area, to any area water resources as a result of the construction activities**