

# Sea-Tac Airport Third Runway 401 Permit Negotiations

## FINAL DRAFT MEETING NOTES

October 20, 2000

9:00 – 4:00

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](mailto:kates@floyd-snider.com) with comments on the accuracy of these notes by 5pm, Wednesday 10/25/00.

### ATTENDEES

Ray Hellwig, Dept. of Ecology  
Kevin Fitzpatrick, Dept. of Ecology  
Chung Ki Yee, Dept. of Ecology  
Erik Stockdale, Dept. of Ecology (by phone)  
Michael Cheyne, Port of Seattle  
Elizabeth Leavitt, Port of Seattle  
Keith Smith, Port of Seattle  
Kelly Whiting, King County (by phone)

Paul Fendt, Parametrix  
Alan Black, HNTB  
Jim Kelley, Parametrix  
Michael Bailey, Hart Crowser  
Michael Kenrick, Hart Crowser  
Kate Snider, Floyd & Snider Inc.  
Rachel McCrea, Floyd & Snider Inc.

### MEETING AGENDA OVERVIEW

- Comments on 10/13 draft notes
- Outcomes of Ecology internal meeting
- Borrow Site 3 hydrology update, Auburn wetlands discussion, Stormwater Master Plan tasks status report
- Staffing for NRMP review
- Schedule status / next steps

### 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.

**AR 029018**

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.

As of this date (following discussions at an internal Ecology meeting on 10/17) 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
<b>Administrative</b>				
• Documentation, master list of issues	✓			
<b>1. Stormwater Master Plan – Detention Sizing</b>				
<u>Key Issues Discussed 10/2</u>				
• 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 KCRTS models		✓		
• North Employees Parking Lot		✓		
• SDW2 land use conditions	✓			
• SASA facility volumes		✓		
• SASA facility compliance with KC off-site flow criteria		✓		

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
• SDS-7, SDS3-A, SDS-3, SDS-2, 5, 6 collection areas		✓		
• New information for Walker Creek calibration		✓		
• IWS model input consistency with SMP	✓			
• SDE-3 conditions	✓			
<u>Add'l Issues Discussed 10/6</u>				
• 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	✓			
<b>2. Flow augmentation for Des Moines Creek</b>	✓			
<b>3. Potential South Access Road impacts to Tyee Pond</b>		✓		
<b>4. Borrow Site #3 hydrology</b>		✓		
<b>5. HPA / 401 issuance relationship</b>	✓			
<u>Add'l Issues Raised by Ecology on 10/10</u>				
• 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	✓			

AR 029020

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
• Structural feasibility of proposed big vaults	✓			
• NEPA /SEPA revision timing	✓			
<b>Natural Resources Mitigation Plan</b> (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	✓			
<b>NPDES Major Modification</b>	✓			
<b>Add'l Issues Raised by Ecology on 10/20</b>				
• 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	✓			

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
• Soil Quality at Borrow Sites	✓			
• Potential confirmation of groundwater quality w/in embankment			✓	
• Construction stormwater management	✓			
• Clean Air and CZM	✓			
• Compatibility of potential RDF and Tyee mitigation	✓			

### UPDATE: BORROW SITE #3

**RESOLVED PENDING REVIEW:** Port submitted (10/20) proposed mitigation plan as described in 10/10 meeting to Ecology. Dave Garland will lead Ecology's review of the plan. Port requests Ecology's review be completed by early November to meet the goal of Ecology/Port issue resolution before mid-December. If this mitigation plan for wetland hydrology were accepted, the 401 would be conditioned to require construction of mitigation as part of Borrow Site #3 excavation. The mitigation plan submittal will be provided to the Corps. The proposed mitigation plan will be incorporated into the Wetland Functional Assessment & Impact Analysis.

The Port's excavation and use of borrow sites may require an NPDES permit under general sand and gravel.

### OUTCOMES OF ECOLOGY INTERNAL MEETING

Part I: The following issue updates were presented by Ecology per the internal Ecology meeting held 10/17.

### UPDATE: NPDES MAJOR MODIFICATION

**RESOLVED:** 401 permit issuance is not conditional on the major modification to the 402 permit proposed for the 509 interchange. The 401 permit would address mitigation for stormwater and potential wetland impact. The 402 permit would apply to discharge from facilities to Walker Creek.

### UPDATE: SOUTH ACCESS / TYEE POND

**RESOLUTION PENDING REVIEW:** Ecology recognizes ongoing use of Tyee Pond for spill containment and stormwater management. The Des Moines Creek Basin Plan envisions Tyee Pond's continued use for spill containment and stormwater management. These uses will not be considered as new or additional impacts. The Restrictive Covenant will recognize the uses and allow access for maintenance and potential remediation if a spill were to occur.

Evaluation of a buffer, as discussed in previous meetings, is ongoing.

**AR 029022**

**UPDATE: DES MOINES CREEK FLOW AUGMENTATION**

**RESOLVED:** Ecology stated that the proposed 401 condition is acceptable and provides reasonable assurance. "No construction of runway pavement or SASA impervious surfaces would be allowed until a flow augmentation plan with an identified source of water is approved" (10/10 meeting notes).

**OUTCOMES OF ECOLOGY INTERNAL MEETING**

**Part II: The following new issues were identified during the internal Ecology meeting held 10/17.**

**Issue: Timing of Corps public notice**

**RESOLVED:** Ecology's 401 schedule will assume public notice in early December, per 10/10 notes. Port to clarify with Corps the relationship of public notice relative to a Biological Opinion.

**Issue: Temporary construction staging area under construction within SASA footprint**

**RESOLUTION PENDING REVIEW:** The Port prepared a SWPPP and submitted a construction monitoring plan to Ecology in January for this 30-acre temporary facility well within the SMP 80-acre SASA project impervious surface footprint. As a temporary facility, it is outside the jurisdiction of the Corps. Detention facility has been designed to exceed requirements of King County manual. Port and Ecology will check whether the facility is meeting King County "high traffic" stormwater management requirements, related to NPDES compliance in SWPPP. The Port will provide a copy of the SWPPP to Ecology. Ecology will discuss with King County the requirements for temporary construction (TESC) activities defined in the SMP.

**Issue: Water Quality BMPs: 401/402 interface**

**RESOLVED:** Continued improvements for water quality BMPs for new and existing outfalls will be determined and managed under the 402 permit, not the 401. The 401 permit sets the baseline for BMP requirements. Monitoring of effectiveness and any necessary improvements of treatment BMPs for new and existing outfalls will be conducted under 402.

**Issue: Lagoon #3 potential direct impacts**

**RESOLVED:** Indirect impacts from the Lagoon #3 expansion are under evaluation. There are no direct impacts from Lagoon #3 expansion. Ecology will confirm this with the Corps and/or through review of Eric Stockdale's list of issues. The fate and transport of contamination in the area of Lagoon #3 is not an issue of concern for the 401; it is managed under the 402.

**Issue: Additional wetlands at the Auburn Site**

**RESOLVED:** The winter 1997 Corps wetland delineation has been used as the basis of mitigation plans at the Auburn site. During this 1997 delineation, the Corps observed other wet spots, assumed to not be wetlands due to above-average rains and non-wetland soils, and did not take jurisdiction of these wet spots. Groundwater monitoring since 1996 has shown that some areas have a high groundwater table of long duration.

An August 2000 Corps review of 1999 data suggested a re-delineation of wetlands in these additional areas of high groundwater. 1999-2000 winter is characterized as a "normal" rainfall

year. A September 2000 site visit showed wetland soils and some wetland vegetation. A wetland delineation has just been performed, and the Corps will verify (scheduled for 11/8). Current delineation shows 14 acres of additional wetlands located mostly on the western portion of the site. Therefore, 14 acres of "restoration" credit will move to "enhancement" credit, resulting in a 7-acre drop in total mitigation credits achieved at the Auburn site. Based on this information, there are 2.1-acres of wetland created at Auburn for each acre of wetland filled for 3<sup>rd</sup> Runway construction. This change is still within the environmental mitigation ratio objective of 2:1.

Excavation, grading and planting plans will be revised based on this new information. All documents will be revised accordingly. New mapping and a table were provided to Ecology for preliminary review.

**Issue: 401 relationship with Agreed Order/Governor's Certification for MTCA groundwater study**

RESOLVED: Changes in the way the Agreed Order is implemented or in the scope of the Agreed Order will not affect issuance of the 401. Master Plan actions would not preclude any potential Ecology action related to the Agreed Order.

**Issue: Potentially contaminated properties in the South Runway Protection Zone**

RESOLVED: The properties in question are being acquired for the runway protection zone and will be assessed and remediated as necessary associated with Port acquisition. They will not be buried under runway fill – runway construction will not impact their ability to be remediated. The FAA requires no construction in this area other than runway support facilities such as light lanes.

**Issue: Soil Quality at Borrow Sites**

RESOLVED: Soil excavated from borrow sites must meet embankment fill criteria for use in 3<sup>rd</sup> Runway embankments. No further obligation needed in 401 permit.

**Issue: Potential confirmation of groundwater quality within the embankment**

ACTION ITEMS DEFINED FOR FURTHER DISCUSSION: Ecology requested that the Port identify methodologies that could be used to confirm post-construction quality of groundwater within the embankment. Port will evaluate for further discussion.

**Issue: Construction stormwater management**

RESOLVED: Ecology and the Port will clarify scope and reporting for third party oversight and construction crew training requirements that is already required in the Sea-Tac 402. The 401 should reiterate importance of these 402 requirements.

**Issue: Clean Air and CZM**

RESOLVED: Ecology will re-confirm with internal staff that there are no new issues to be addressed regarding air compliance.

**AR 029024**

**Issue: Compatibility of potential RDF and Tyee mitigation**

RESOLVED: Mitigation proposed at Tyee Golf Course would not be adversely affected by a potential future RDF.

**STORMWATER MASTER PLAN ACTION ITEM UPDATES****BASIN UPDATE: DES MOINES CREEK**

RESOLUTION PENDING REVIEW: All necessary deliverables have been provided to King County.

**BASIN UPDATE: WALKER CREEK**

RESOLUTION PENDING REVIEW: Calibration results provided to King County following site visit 10/16. Documentation of results (revised Appendix B) is targeted for submittal in the next week following resolution of Miller Creek work by J. Brasher. Walker Creek Basin pond sizing / HSPF and KCRTS model runs are complete and will be provided to King County 10/23.

**BASIN UPDATE: MILLER CREEK**

RESOLUTION PENDING REVIEW: Consultant J. Brasher is confirming additional source of error in runoff files for HSPF / KCRTS comparison. HSPF model run completed for all but 3 ponds. Submittal of Miller Creek deliverables targeted for the coming week.

**Issue Update: Project Effect on Base Flows**

RESOLUTION PENDING REVIEW: A summary of base flow work will be presented at the 10/27 meeting.

**Issue Update: SASA facility compliance with King County off-site flow criteria**

RESOLUTION PENDING REVIEW: Parametrix and King County have developed a proposed evaluation of SASA facility flows to address compliance of the in-stream facility with King County Manual requirements. This proposed evaluation will be discussed with Ecology in a King County-Ecology meeting scheduled for Thursday 10/26.

**Issue Update: North Employees Parking Lot**

RESOLUTION PENDING REVIEW: Results of research into site-specific soil data and the proposal to combine the NEPL and M6 basins do not significantly affect re-evaluation of detention requirements per 10/2 meeting. A technical meeting will be held 10/24 to discuss NEPL alternatives and other remaining SMP action items and deliverables.



**Issue Update: Modeling of Potential IWS Lagoon Overflow**

RESOLUTION PENDING REVIEW: Modeling performed by Kennedy-Jenks for lagoon design has been submitted to King County for review relative to this issue.

**Issue Update: Des Moines Creek Basin Plan consistency**

RESOLVED: King County will provide a comparison of impervious surface assumptions in the Basin Plan with the 3<sup>rd</sup> Runway SMP impervious surface assumptions. This work is a lower priority than review of SMP deliverables.

**CONCLUSIONS AND NEXT STEPS**

The scope of Ecology's staffing needs for NRMP technical review was discussed. This scope includes review of SMP/NRMP consistency and coordination with the Corps. Ecology would be responsible for contracting arrangements, and E. Stockdale would be available internally for  $\pm 2$  hrs/wk. Ecology will consider multiple options for addressing this need, including proposing use of Corps resources to meet the needs of review assistance and coordination.

**Upcoming Meetings:**

- 10/24 (p.m.)            Technical meeting re: SMP action item updates (Parametrix, King County and Floyd & Snider attendees)
- 10/27 (9:30-4:00)    Full group meeting re: progress with Master List issue resolution
- 10/31 (8:00-11:00)   Status check

**Schedule Status for Deliverables related to SMP issue resolution:**

The following list shows a target schedule for Port submittal of deliverables to Ecology and King County for review. Dates refer to submittal by close of business (cob) on that day. Deliverables completed are followed by actual submittal date in parentheses.

- 10/11            SR 509 redesign report (10/10)
- 10/13            Des Moines Watershed revised Appendix A package (10/13)
- 10/13            Other SMP deliverables not in Appendix A (text revisions per King County comments 10/13)
- 10/13            IWS Lagoon overtopping analysis (answer to question 10/13; analysis performed by Kennedy Jenks submitted 10/16)
- 10/19            Walker Watershed revised calibration appendix (results 10/18, documentation following completion of Miller Creek runoff files by consultant Joe Brasher)
- 10/20            Walker Watershed revised Appendix A package (decided on 10/20 it would be appropriate submit prior to revised calibration appendix; to be submitted by 10/23)
- \*                Miller Watershed revised Appendix A package (\* depends on resolution of continued problems with input files)
- Early Nov      Base flow technical memo (does not require review by King County)

**AR 029026**