

# Sea-Tac Airport Third Runway 401 Permit Negotiations

## FINAL DRAFT MEETING NOTES

November 13, 2000

1:00 – 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](mailto:kates@floyd-snider.com) with comments on the accuracy of these notes by 5pm, Monday, 11/20/00.

### ATTENDEES

Ray Hellwig, Dept. of Ecology  
Kevin Fitzpatrick, Dept. of Ecology  
Ann Kenny, Dept. of Ecology  
Dave Garland, Dept. of Ecology  
Elizabeth Leavitt, Port of Seattle  
Michael Cheyne, Port of Seattle  
Keith Smith, Port of Seattle

David Masters, King County  
Paul Fendt, Parametrix  
Jim Kelley, Parametrix  
Rick Schaefer, Earth Tech  
Kate Snider, Floyd & Snider Inc.  
Rachel McCrea, Floyd & Snider Inc.

### MEETING AGENDA OVERVIEW

- Issue Updates for: Base Flows, temporary construction staging area within SASA footprint, additional wetlands on Auburn site, S. Access Rd/Tyee Pond, NPDES Major Modification, and potential wetland impacts of SR 509 Interchange
- Process forward, next meetings

### DEFINITION OF TERMS USED IN THESE NOTES

The purpose of these technical discussions is to clarify known issues and submittal requirements for documents adequate for Ecology and public review. Discussions of potential 401 condition language in these notes are subjective only. Language included in these notes does not in any way presuppose an Ecology decision regarding 401 issuance or preclude development of 401 requirements or conditions following review of the full record.

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.

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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
<b>Administrative</b>				
1. Documentation, master list of issues	✓			
2. Clarification of purpose of these discussions	✓			
<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 KCRS models	✓			
• North Employees Parking Lot		✓		
• SDW2 land use conditions	✓			
• SASA facility volumes	✓			

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
• SASA facility compliance with KC off-site flow criteria		✓		
• 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	✓			

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401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
• Contaminated soil stockpile facility	✓			
• 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	✓			

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
• Potentially contaminated properties in S. Runway Protection Zone	✓			
• 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 Tye mitigation	✓			
<u>Add'l SMP Issues Identified on 10/27</u>				
• SDW1A facility sizing		✓		
• SMP Clarification regarding water quality BMPs	✓			

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

RESOLUTION PENDING REVIEW: Analysis is underway. Results will require QC review before completion of the final draft Base Flow Technical Memo.

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

RESOLUTION PENDING REVIEW: The Port will submit information to Ecology regarding the operation of the staging area's stormwater management system.

**Issue Update: S. Access Road / Tye Pond**

RESOLUTION PENDING REVIEW: WSDOT received a formal non-concurrence letter from the Corps because the South Access alternative goes through an area with a proposed Restrictive Covenant. Efforts to schedule an expedited coordination meeting are underway.

Three questions need answered to move this issue forward:

1. Did Ecology factor avoidance of Tye Pond into their mitigation decision? The Port did not factor the Tye Pond buffer into their formal mitigation credits.
2. Can WSDOT move forward with a preferred alternative assuming that any impact to Tye Pond or its buffer can be mitigated?
3. How should avoidance of Tye Pond be characterized in the NRMP?

**Issue Update: Additional wetlands on Auburn site**

RESOLVED: The Corps wetland delineation is now scheduled for 11/30, 12/1.

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**Issue Update: NPDES Major Modification**

RESOLVED: The NPDES Major Modification schedule for public comment and hearing cannot be expedited due to Ecology staffing constraints. If the 401 public notice schedule becomes overlapped with the major modification schedule, the schedule goal would be to space the public hearings at least one week apart.

**Issue Update: Potential wetland impacts of SR 509 Interchange**

RESOLVED: This information will be included in the revised NRMP and Impact Assessment.

**CONCLUSIONS AND NEXT STEPS**

**Schedule**

Work is underway to address the remaining unresolved issues and to complete the revised SMP, NRMP and associated documents. The Port and Ecology are taking the time now to do this work diligently and no confirmation at this point is provided regarding an expected date for public notice.

**King County Participation**

Materials regarding the 509 interchange and the SASA facility's compliance with KC off-site flow criteria will be available for the King County to review.

**Next Meetings**

The following meetings are scheduled.

**November 29, Wednesday, 9:30 – 2:00**

Proposed Agenda items:

- Des Moines Creek Base Flow
- Base Flow updates: Walker and Miller Creeks
- Tyee Pond restrictive covenant
- SDW1A and NEPL updates
- Des Moines Creek Flow augmentation
- Borrow Site #3 feedback from Ecology
- Ecology / King County review approach for the base flow memo
- Overall schedule update

**December 8, Friday, 9:30 – 2:00**