

Sea-Tac Airport Third Runway 401 Permit Negotiations

FINAL DRAFT MEETING NOTES

November 29, 2000

9:30 – 2:00

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 with comments on the accuracy of these notes by 5pm, Wednesday, 12/6/00.

ATTENDEES

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
Kelly Whiting, King County
Paul Fendt, Parametrix

Jim Dexter, Parametrix
Jim Kelley, Parametrix
Rick Schaefer, Earth Tech
Michael Bailey, Hart Crowser
Michael Kenrick, Hart Crowser
Joe Brascher, Aquaterra
Kate Snider, Floyd & Snider Inc.
Rachel McCrea, Floyd & Snider Inc.

MEETING AGENDA OVERVIEW

- Updates for:
 - Low Stream Flow (formerly referred to as Base Flow)
 - Des Moines Creek Flow Augmentation
 - Borrow Site #3 hydrology
 - Tyee Pond restrictive covenant
 - NPDES Major Modification schedule
 - NEPL
 - SDW1A
- Schedule and process forward

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

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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				
1. Documentation, master list of issues	✓			
2. Clarification of purpose of these discussions	✓			
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	✓			
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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
• Infiltration evaluation of existing pond locations	✓			
• Project effect on Low Stream Flows (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	✓			
• 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	✓			
2. Flow augmentation for Des Moines Creek	✓			
3. Potential South Access Road impacts to Tyee Pond	✓			
4. Borrow Site #3 hydrology		✓		
5. HPA / 401 issuance relationship	✓			

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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
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	✓			
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	✓			

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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
• 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	✓			
• 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	✓			

Issue Update: Project Effect on Low Stream Flows (formerly known as Base Flows)

RESOLUTION PENDING REVIEW: Analysis underway examines Low Stream Flows and it was agreed that "Low Stream Flows" is a more correct name for this issue. Preliminary results of HSPF August/September average flows and 7-day, 2-year low flows were discussed for each basin. Preliminary results of precipitation infiltration and delayed discharge through the embankment fill soils, infiltration through biofiltration strips and swales of runoff from impervious areas, and non-hydrological effects (changes in cultural influences) were discussed. A final tech memo will be prepared based on these analyses and will compare these analyses to the analysis performed in the 1999 submittal. The HSPF portion of the final tech memo will be consistent with the facilities proposed in the final draft SMP.

Issue Update: Flow Augmentation for Des Moines Creek

RESOLUTION PENDING REVIEW: After Ecology can evaluate the final Low Stream Flow tech memo they will make decisions regarding mitigation requirements. Potential augmentation opportunities and approaches were discussed.

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Issue Update: Borrow Site #3 hydrology

RESOLUTION PENDING REVIEW: D. Garland completed his review and has provided a memo for Ecology's internal use. Input is needed from an Ecology wetland expert. Processes for contracting with a wetland expert are underway. Ecology will not be able to provide the Port with feedback on the Borrow Site #3 hydrology proposal for at least 2 weeks.

Issue Update: S. Access Road / Tyee Pond

RESOLUTION PENDING REVIEW: Ecology would accept removal of language regarding the restrictive covenant at Tyee Pond from the JARPA application, and clarification in the JARPA application that Tyee Pond buffers are not part of the mitigation package for master plan projects. For the 401 permit, Ecology will require a restrictive covenant on the pond and its buffers that will require mitigation for any future direct or indirect impacts to the pond or buffers. This would not prevent future impacts, but would require mitigation. The Ecology-WSDOT liaison is comfortable with this approach. A meeting with the Corps to coordinate this issue is potentially scheduled for 12/6.

Ecology's wetland consultant will need to evaluate the adequacy of the proposed buffer.

Issue Update: NPDES Major Modification

RESOLVED: Current targets for the 401 public hearing and the Major Modification public hearing are consistent with previously established goals for a separation of at least one week.

Issue Update: NEPL

RESOLUTION PENDING REVIEW: The Port is developing a draft workplan for performance monitoring at the existing vault and for downstream effects of the existing facility. Ecology will provide feedback to the Port about the acceptability of a monitoring approach prior to determining potential need to retrofit the existing facility. Work regarding revised detention sizing will continue based on use of site-specific soil and flow data. A site-specific soils report characterizing pre-construction soil characteristics has been reviewed for use in modeling efforts. Hart Crowser will provide Ecology, King County and Aquaterra with a copy of this report.

Issue Update: SDW1A

RESOLUTION PENDING REVIEW: The use of infiltration in addition to detention is being considered for SDW1A and SDW1B. Infiltration evaluations have been conducted based on requirements of the King County manual. Port consultants have demonstrated conceptual feasibility of infiltration to meet HSPF detention sizing goals. This information will be included in the revised SMP. Soils and backup calculations will be provided to King County and Ecology for review and discussion prior to SMP issuance. Additional testing will be required along the alignment of the proposed infiltration facilities to complete design following issuance of the SMP.

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CONCLUSIONS AND NEXT STEPS

King County Contract

Ecology will initiate a contract amendment between Ecology and King County to extend the King County scope in order to address how stormwater facilities contribute to low stream flows, and to provide a time extension based on current estimates for SMP completion and submittal.

Next Meetings

The next meeting is December 8, Friday, 9:30 – 2:00.

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