

Kenny, Ann

From: Kenny, Ann
Sent: Wednesday, March 21, 2001 3:31 PM
To: Hellwig, Raymond; Stockdale, Erik; 'Katie Walter'
Cc: Summerhays, Jeannie; 'Kelly Whiting'
Subject: Floyd and Snider Notes: Wetland Issues Only



3rw-401

Summarywetlands.doc Ray, Erik, and Katie,

I have taken the summary notes prepared by Floyd and Snider from the earlier facilitated process and I deleted everything in the text that did not relate to wetland issues.

It will be useful for all to review these extracted notes to re-familiarize ourselves with the wetland issues discussed during the facilitated process.

I suggest that we have Katie prepare comments that echo what Kelly Whiting did. We should address how well the Port did in delivering on the issues identified in these notes as they pertain to wetland issues.

Ann

AR 034794

**Sea-Tac Airport Third Runway 401 Permit Negotiations
(Wetland Issues Only)**

MEETING NOTES SUMMARY

October 2nd through December 8th, 2000

This Meeting Notes Summary is a compilation of discussions regarding issues related to a potential 401 Permit from the Department of Ecology for the Port of Seattle's proposed Stormwater Master Plan Update and third runway construction. This summary has been developed to facilitate additional discussions on specific issues. Material from individual meeting notes regarding process logistics has not been included. Floyd & Snider Inc. has prepared the notes and this summary.

Please reply to Rachel at (206) 292-2078, fax (206) 682-7867, rachelm@floyd-snider.com with comments on the accuracy of these notes by 5pm, Wednesday, 12/13/00.

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.

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.

ECY00012496

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 included on the list 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	✓			
• 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	✓			
• Infiltration evaluation of detention ponds	✓			
• Project effect on Low Stream Flows (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	✓			
• 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	✓			

AR 034796

ECY00012497

**Sea-Tac Airport Third Runway 401 Permit Negotiations
Meeting Notes Summary**

Floyd & Snider Inc.

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
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 Tyee 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	✓			
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	✓			

ECY00012498

**Sea-Tac Airport Third Runway 401 Permit Negotiations
Meeting Notes Summary**

Floyd & Snider Inc.

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
• 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	✓			
• Potential confirmation of groundwater quality w/in embankment	✓			
• Construction stormwater management	✓			
• Clean Air and CZM	✓			

AR 034798

ECY00012499

401 Technical Issues Requiring Resolution	RESOLVED	RESOLUTION PENDING REVIEW OF ADDITIONAL INFORMATION	ACTION ITEMS DEFINED FOR FURTHER DISCUSSION	NOT YET DISCUSSED
<ul style="list-style-type: none"> Compatibility of potential RDF and Tyee mitigation 	✓			
Add'l SMP Issues Identified on 10/27				
<ul style="list-style-type: none"> SDW1A facility sizing 	✓			
<ul style="list-style-type: none"> SMP Clarification regarding water quality BMPs 	✓			

Issue: SDW1B Impacts to Wetland 39B

10/6 - RESOLUTION PENDING REVIEW: Regarding pond discharge location relative to wetland, if Ecology wetlands review accepts the proposed design, it is acceptable to King County SMP reviewer.

3. POTENTIAL S. ACCESS ROAD IMPACTS TO TYEE POND ISSUE

10/10 - Potential 401 condition: Tyee Pond will be protected in Third Runway project. If a subsequent project were to propose impact to Tyee Pond, appropriate permitting and mitigation would be required.

10/10 - RESOLUTION PENDING REVIEW: Ecology proposed a buffer around Tyee Pond and the East branch of Des Moines Creek be considered for implementation as a Restrictive Covenant. If a future project were to impact this buffer, the permit process and mitigation would be required. The Port will evaluate the logistics of a buffer for further discussion.

10/13 - RESOLUTION PENDING REVIEW: The Port highlighted that the existing Tyee Pond provides a stormwater management spill control function, a function overlooked in discussions at the 10/10 meeting. The Des Moines Creek Basin Plan envisions Tyee Pond's continued use for spill containment. The SMP does not propose any change to the use or maintenance of the pond. Ecology and the Port will confirm that the Corps is fully informed of the spill containment function to factor into decision-making. During evaluation of a potential buffer at Tyee Pond, restrictive covenant language will be checked re: acknowledgement of the stormwater management spill control function. The Port is reviewing the feasibility of a 100-foot buffer around the Tyee Pond.

10/20 - 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.

10/27 - 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. The Port clarified that Port is not requesting mitigation credit for the proposed Tyee buffer – it has not been factored into mitigation ratios.

10/31 - RESOLUTION PENDING REVIEW: Ecology, Corps, DOT and Port will coordinate review of restrictive covenant language, to confirm consistency in approach for the DOT project and the Port 401 process.

11/7 - RESOLUTION PENDING REVIEW: Discussions between Ecology and DOT are underway regarding consistency in approach for the DOT project and the Port 401 process re: potential future impacts of the South Access Road project on Tyee Pond area wetlands. In the 401 process, Ecology has requested placement of a buffer with restrictive covenant around Tyee Pond, as a mechanism to confirm that any future projects (including the S. Access Road) that may propose an impact in this area would have to mitigate. The Port understands that the Corps interpretation of restrictive covenants is that they may prevent any future actions in the area. Legal research is being performed regarding the Corps' restrictive covenants. The Port will set up a meeting between Ecology's DOT liaison, A. Kenny, E. Stockdale/Ecology wetlands consultant, DOT, the Port, and the parties' legal teams to discuss.

11/13 - 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 Tyee Pond into their mitigation decision? The Port did not factor the Tyee Pond buffer into their formal mitigation credits.
2. Can WSDOT move forward with a preferred alternative assuming that any impact to Tyee Pond or its buffer can be mitigated?
3. How should avoidance of Tyee Pond be characterized in the NRMP?

11/29 - 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.

4. BORROW SITE #3 HYDROLOGY ISSUE

10/10 - Potential 401 condition: Port would not excavate Borrow Site #3 until Ecology received and approved a plan addressing potential hydraulic impact on nearby wetlands.

10/10 - RESOLUTION PENDING REVIEW: Port consultants from Hart Crowser presented design concepts for a potential swale to be built on the cut slope to collect and route seepage to the higher elevations of the upper wetland. Volumes discharged would be controlled by a weir and lower wetlands would be maintained through existing hydraulic mechanisms. Port will provide Ecology and Corps with a concept design report and engineering feasibility analysis for the proposed swale mitigation measure. Ecology will hold additional internal discussions about this potential 401 condition to determine if it provides reasonable assurance.

10/20 - 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.

10/31 - RESOLUTION PENDING REVIEW: D. Garland (Ecology) will review and write a memo to file approximately 11/7-11/8. Ecology will provide feedback to the Port before 11/15.

11/29 - 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.

12/8 - RESOLVED: The documents produced for public comment will include the mitigation as proposed. Ecology has selected Shannon and Wilson to provide wetland expertise. They will review the Borrow Site #3 proposal concurrent with the public comment period.

ADDITIONAL ISSUES RAISED BY ECOLOGY ON 10/10

Issue: Potential wetland impacts of the proposed SR 509 Interchange

10/10 - RESOLUTION PENDING REVIEW: The Port has provided the Corps with the revised design of the SR 509 interchange that avoids impacts to the nearby wetland. King County requested a copy of the revised design, along with any revised hydrology report and changes to the erosion control plan. The Port will provide a copy of this report to Ecology and King County. The redesign of interchange alignment avoids direct wetland impact, and does not result in new information relative to indirect impacts to wetlands.

10/27 - 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).

10/31 - RESOLUTION PENDING REVIEW: A. Kenny will follow-up regarding Ecology comment on previously submitted impact analysis for the 509 temporary interchange.

11/13 - RESOLVED: This information will be included in the revised NRMP and Impact Assessment.

NATURAL RESOURCES MITIGATION PLAN

10/10 - ACTION ITEMS DEFINED FOR FURTHER DISCUSSION: The final application to Ecology for the 401 permit will include four documents: Stormwater Master Plan (SMP), Wetland Functional Assessment & Impact Analysis, Wildlife Hazard Plan, and Natural Resource Mitigation Plan (NRMP). It is acknowledged by both the Port and Ecology that following resolution of SMP technical issues, the NRMP and Wetland Functional Assessment & Impact Analysis must be reviewed and revised as necessary to ensure consistency with the SMP.

At the 10/10 meeting, Ecology provided a memo authored by Erik Stockdale (NRMP Ecology reviewer) that lists issues related to the NRMP requiring resolution. A cursory review by the Port identified the need to review the list directly with Mr. Stockdale to determine whether previous Port submittals have adequately addressed many of the issues included on the list, and to clarify any remaining issues. Ecology will request Mr. Stockdale's attendance at the 10/13 meeting, at which issues related to the NRMP can be reviewed, and an agreed to list of remaining issues developed. Tom Luster will call Jim Kelley to provide several other wetland-related issues for the Port's review and response.

Prior to the 10/13 meeting, Parametrix will review the list of issues submitted by Ecology, identify documents already submitted to Ecology that may address the issues, and add any further issues to the list that warrant discussion with the Ecology reviewer. Ecology participants

at the 10/10 meeting additionally raised the following issues (that may already be on the Stockdale list) to be included in an NRMP issues discussion:

1. SDW1B potential impacts to Wetland 39B (included in SMP issues)
2. Potential indirect impacts to Wetlands 18 and 37
3. Potential wetland impacts from Lagoon #3 expansion
4. Cumulative wetland impacts at the south end of airport

Ecology requested an independent consultant be engaged to assist Ecology with the review and tracking resolution of the NRMP, similar to the assistance that King County provides to review the SMP.

10/13 - Issues discussed (below) include items documented by Erik Stockdale in an Ecology Internal Memo dated October 9, 2000, and additional items identified by T. Luster. In summary, it was determined that technical issues related to the NRMP have been negotiated and resolved previously between the Port and Ecology. It was agreed that a revised NRMP will be developed that will: 1) update all information to be consistent with technical decisions that have been made; 2) include material prepared in response to public comments; 3) confirm consistency with the SMP; 4) add additional detail to drawings as requested below. It was determined that the Port could proceed with development of the revised NRMP, to be completed mid-November. Ecology final review of the NRMP can proceed concurrent with public comment.

Issue: NRMP consistency with the SMP

10/13 - RESOLVED: Once the SMP is finalized, the NRMP will be revised if necessary to be consistent. Detention pond sizing and/or depths could potentially be changed during completion of the SMP. NRMP review following SMP completion must confirm that ponds still fit within impact footprints. Port will ensure that documents submitted to Ecology and the Corps are consistent. Ecology will coordinate with the Corps regarding technical consistency within and among all documents produced for public comment, including the SMP and NRMP.

Issue: Maintenance of wetland hydrology (e.g. 18, 37, 39B)

10/13 - RESOLVED: Parametrix will clarify in the NRMP and in the Wetland Functional Assessment & Impact Analysis (impact assessment) how the seepage swale at the base of the embankment will be routed and discharged maintain wetland hydrology. Existing SMP and NRMP figures showing the swale will be clarified and notes added. Drawings used in multiple deliverables should be consistent.

Issue: NRMP Incorporation of previously submitted technical responses to previously identified issues

10/13 - RESOLUTION PENDING REVIEW: Parametrix has previously provided technical information to Ecology responding to comments received from A. Azous, however, the Port has not received feedback from Ecology on those materials. Parametrix requested a brief meeting with E. Stockdale to discuss the response to comments documents before that material is incorporated into the NRMP revision. Ecology will confirm whether such a meeting is necessary. However, all agreed that the Port may incorporate that material into the NRMP. Implementation Addenda will also be incorporated into the revised NRMP.

10/27 - RESOLVED: Ecology reported that previously submitted technical responses should be incorporated into the NRMP without further internal review.

AR 034802

Issue: S. Access Road/Tyee Pond Impacts

10/13 - RESOLUTION PENDING REVIEW: This issue relates to the South Access Road/Tyee Pond issue discussed initially at 10/10 meeting. Any Tyee Pond/east Des Moines Creek buffer described in a restrictive covenant will be added to the NRMP (drawing C-2 from Appendix C to the Implementation Addenda). Ecology proposed a 100' buffer for Tyee Pond/east Des Moines Creek. The Port will re-evaluate the buffer proposal on Tyee Pond and the East and West Branches of Des Moines Creek and report back to Ecology. Material regarding South Access Road realignment and temporary interchange indirect impacts will be updated in the revised NRMP.

Editor's Note: Additional discussions regarding the S. Access Road / Tyee Pond relationship are captured in these notes under Main Issue #3 "Potential S. Access Road Impacts to Tyee Pond" (above). The issue as described under the Natural Resources Mitigation Plan is RESOLVED.

Issue: Vacca Farm floodplain habitat design elements

10/13 - RESOLVED: Parametrix will show more specificity in drawings, text and notes relative to microtopography, wood placement, etc. to provide assurances to Ecology that more complex habitat structure will be added in the floodplain.

Issue: Stormwater pond cross sections

10/13 - RESOLVED: Parametrix will provide cross section drawings of all open ponds adjacent to wetlands that will include elements such as pond, drainage channels, buffer, wetland, creek, and groundwater table elevation. The ponds, drainage channels, creeks, etc. relative to the buffer mitigation will be shown in the NRMP. Evaluation of the cross sections, groundwater issues, etc. for potential indirect wetland impacts will be provided in the wetland assessment report.

Issue: Performance standards

10/13 - RESOLVED: Parametrix will add a table and/or text in the revised NRMP to describe the performance standards used for particular wetlands. Ecology will check with the Corps regarding the ability of the performance standards to be measured in the field. Port will help to make this communication happen.

Issue: Documentation of indirect impacts

10/13 - RESOLVED: The revised wetland impact assessment will include more technical information and documentation regarding indirect impacts to wetlands. This information is largely contained in letters responding to comments provided by A. Azous. The revised wetland impact assessment will also address stormwater ponds, borrow area 3, wetland 39b, and SR-509 temporary interchange issues.

Issue: Wetland delineation west of Miller Creek

10/13 - RESOLVED: The wetlands west of Miller Creek have been delineated, will be described in the Wetland Delineation Report and accounted for in the revised NRMP. The Wetland Delineation Report will be a part of the re-notice for public comment. These wetlands have not yet been verified by the Corps, and wetland enhancement credits are not currently incorporated in the documents. If the Corps verifies these wetlands prior to public notice, mitigation credits will be calculated for wetlands within the Miller Creek buffer and included in the revised NRMP.

11/07 - RESOLVED: Corps delineation of wetlands west of Miller Creek is partially complete as of this date. The Corps will complete the delineation of the remaining two areas 11/8.

Issue: Documentation of Miller Creek buffer

10/13 - RESOLVED: Parametrix will clarify Map C-3 of Appendix D relative to temporary construction line and buffer. This sheet will be revised to indicate the location of the Miller Creek Buffer relative to the temporary construction impacts and the stormwater management features.

Issue: Fencing and signage for buffers / mitigation areas

10/13 - RESOLVED: Revised NRMP will identify fencing and signage for long-term protection of buffers/mitigation areas from public access (i.e. Auburn mitigation site). Port will review placing fencing and/or signage around protected mitigation areas within secured airport property to prevent encroachment by construction and maintenance activities. Restrictive covenants should address potential need for revised fencing/signage requirements based on future land use.

Issue: Restrictive Covenant language for Auburn mitigation site

10/13 - RESOLVED: Ecology will check with their Attorneys about Restrictive Covenant language regarding long-term wetland mitigation use of the Auburn site to be certain that the language restricts use for stormwater management by others, consistent with King County and Ecology manuals.

Issue: Buffer planting in area of potential RDF

10/13 - RESOLVED: NRMP drawings will be revised to eliminate planting exclusion zone for a potential future RDF. This area will be planted by the Port before the end of 2004. Sheet C-2 of Appendix C will be revised to show buffer plantings.

Issue: Wetland impact analysis of IWS lagoon expansion

10/13 - RESOLVED: Assessment of direct/indirect wetland impacts from IWS lagoon expansion will be included in the revised Wetland Functional Assessment & Impact Analysis. This was provided to Ecology in a Memo from Jim Kelley on 9/5/00. The IWS lagoon expansion is not a Stormwater Master Plan project, but is "reasonably foreseeable".

Issue: Source of irrigation water for mitigation areas

10/13 - RESOLVED: Text explaining the source of irrigation water for mitigation areas will be included in the revised NRMP. The sources included will be from existing providers.

Issue: Mitigation Fund

10/13 - RESOLVED: The revised NRMP will reflect the Port's commitment to a \$150K mitigation fund for the Des Moines and Miller Creek watersheds. The sunset clause will be modified to provide for the identification of projects by 2002. Permitting and implementation may occur after that date.

Issue: Lagoon #3 potential direct impacts

10/20 - 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.

AR 034804

Issue: Additional wetlands at the Auburn Site

10/20 - 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 3rd 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.

11/07 - RESOLVED: Corps has not been able to schedule wetland delineation for the Auburn site due to staff availability. Efforts to schedule the delineation are underway.

11/13 - RESOLVED: The Corps wetland delineation is now scheduled for 11/30, 12/1.

Issue: Compatibility of potential RDF and Tye mitigation

10/20 - RESOLVED: Mitigation proposed at Tye Golf Course would not be adversely affected by a potential future RDF.

AR 034805