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**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In re: Appeal of Bruce Struthers,	No. MUP-12-016
Appellant,	APPELLANT’S PRELIMINARY LIST OF WITNESSES AND EXHIBITS
vs.	
SPU and Seattle Department of Planning and Development	
Respondents.	

Appellant discloses the following information regarding potential witnesses and exhibits.

WITNESSES

The following current or former City employees may testify about the design and construction of the Meadowbrook Pond Dredging and Improvements Project and the Thornton Creek Confluence Project (the “Project”), decisions and/or analysis relating to the design and cost/benefit analysis for the project, hydraulic and hydrological modeling, project

1 management, ancillary work related to the project, the background for the project, asset
2 management best practices at SPU, sustainability programs at the City of Seattle, other
3 projects related directly to the management of flows through Thornton Creek, Kramer Creek,
4 and all tributaries of Thornton Creek upstream of Meadowbrook Pond, and possibly other
5 relevant matters.
6

- 7 **1.** Nancy Richardson Ahern, Director
8 SPU
9 700 Fifth Avenue, Suite 4800
10 Seattle, WA 98104
11 (206) 733-9191
- 12 **2.** Bruce Bachen, Director
13 SPU
14 700 Fifth Avenue, Suite 4800
15 Seattle, WA 98104
16 (206) 684-7935
- 17 **3.** Glenn Hasegawa, Supervising Engineer
18 SPU
19 700 Fifth Avenue, Suite 4800
20 Seattle, WA 98104
21 (206) 684-5203
- 22 **4.** Deborah Heiden
23 SPU
24 700 Fifth Avenue, Suite 4800
25 Seattle, WA 98104
26 (206) 386-1802
- 5.** Raymond Hoffman, Director
SPU
700 Fifth Avenue, Suite 4800
Seattle, WA 98104
(206) 684-5852
- 6.** Dave Jacobs, Modeling Lead
SPU
700 Fifth Avenue, Suite 4800

- 1 Seattle, WA 98104
2 (206) 684-3995
- 3 **7.** Merry Lee, Project Manager
4 SPU
5 700 Fifth Avenue, Suite 4800
6 Seattle, WA 98104
7 (206) 684-5080
- 8 **8.** Gary Lockwood
9 SPU
10 700 Fifth Avenue, Suite 4800
11 Seattle, WA 98104
12 (206) 684-7750
- 13 **9.** Betty Meyer, Lead SEPA Responsible Official
14 SPU
15 700 Fifth Avenue, Suite 4800
16 Seattle, WA 98104
17 (206) 386-1999
- 18 **10.** Trish Rhay, Director
19 SPU
20 700 Fifth Avenue, Suite 4800
21 Seattle, WA 98104
22 (206) 386-1832
- 23 **11.** Patricia Cortez-Quiñones, Engineer
24 SPU
25 700 Fifth Avenue, Suite 4800
26 Seattle, WA 98104
(206) 615-0519
- 12.** Gary Schimek
SPU
700 Fifth Avenue, Suite 4800
Seattle, WA 98104
(206) 615-0519
- 13.** Greg Stevens, Project Manager
SPU
700 Fifth Avenue, Suite 4800
Seattle, WA 98104
(206) 615-1451
- 14.** Chollada Yesuwan, Sr. Engineer

1 SPU
2 700 Fifth Avenue, Suite 4800
3 Seattle, WA 98125
4 (206) 684-5133

5 The following neighbors and contributors to the Meadowbrook Pond may testify
6 about the effect of the proposed project improvements on their neighborhood and residences:

7 **15.** Bradley Johnson
8 11002 35th Avenue NE, #209
9 Seattle, WA 98125
10 (206) 368-5423

11 Mr. Johnson has lived near the pond for over a decade and is an active participant in
12 two community organizations, Friends of Meadowbrook Pond and Thornton Creek
13 Alliance. He may provide fact or testimony regarding outreach to the public by Seattle
14 Public Utilities, aspects of the design of the proposed facility along with alternatives, and the
15 environmental impact of proposed changes.

16 **16.** Peggy Gaynor, FASLA
17 Principal Landscape Architect
18 GAYNOR, Inc.
19 319 Northwest 105th Street
20 Seattle, WA 98177
21 (206) 782-3277

22 Peggy Gaynor has been a pioneer in landscape architecture for 35 years. Ms. Gaynor
23 was one of the original artists/landscape architects who designed and created artworks at
24 Meadowbrook Pond that transformed the site into today's unique, multi-functional place.

25 As an innovator, Ms. Gaynor seeks out and often creates projects that restore parks
26 and urban habitats, daylight creeks, create natural drainage systems for stormwater treatment,
and make public art – all to heal and express the natural environment for wildlife and

1 people's benefit and enjoyment. Award-winning projects include several done with Seattle
2 Public Utilities: Meadowbrook Pond, Thornton Creek Water Quality Channel at Northgate,
3 and the Carkeek and Viewlands Cascades Natural Drainage Systems.

4 Ms. Gaynor may testify beneficial effects of the art and landscape architectural design
5 at Meadowbrook Pond on the public enjoyment of this facility.
6

7 **17.** Michael Oxman
8 13721 Greenwood Avenue North
9 Seattle, WA 98133
10 (206) 949-8733

11 Mr. Oxman is a professional tree surgeon and advocate for preservation of the urban
12 tree canopy within Seattle. He may testify about the long term effects of the proposed
13 improvements on the environment within Meadowbrook Pond and downstream waters.

14 **18.** Vitezslava Otrubova
15 10514 Riviera Place NE
16 Seattle, WA 98125
17 (206) 368-5688

18 Ms. Otrubova has resided directly adjacent to the Meadowbrook Outfall since 1993.
19 She is an accomplished professional photographer specializing in images of nature, flora, and
20 both domestic and wild animals. She raised two boys who attended Nathan Hale, and walked
21 to school through Meadowbrook Pond every day. Ms. Otrubova is active in community life.
22 She may testify about the effect of Meadowbrook Pond on her residence, neighborhood and
23 Lake Washington.
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EXHIBITS

At this time, Appellant expects to submit the following exhibits at the hearing:

Title	Source	Date
Impregnation of Concrete Pipe	US EPA	6/30/71
Facsimile to Chollada Yesuwan	Sunchasers	1/21/99
Storm Water Technology Fact Sheet: Flow Diversion	US EPA	9/30/99
Storm Water Technology Fact Sheet: Wet Detention Ponds	US EPA	9/30/99
Known Freshwater Distribution of Sockeye Salmon for Water Resource Inventory Area (WRIA) 8	King County	7/2/01
Salmon and Steelhead Habitat Limiting Factors Report for the Cedar-Sammamish Basin	Washington Conservation Commission	9/14/01
Known Freshwater Distribution of Coho Salmon for Water Resource Inventory Area (WRIA) 8	King County	7/17/01
Final Environmental Impact Statement: Brightwater Regional Wastewater Treatment System	King County	11/15/03
Meeting Summary: Downtown Ballard Parking Workgroup	Seattle DOT	1/16/04
Executive Report: Best Available Science	King County	2/25/04
Sediment Management in Urban Creeks	Otak	3/7/04
Nearshore Habitat Use by Juvenile Chinook Salmon in Lentic Systems of the Lake Washington Basin	US Fish and Wildlife Service	3/3/04
NW Lake Washington Basin: Phase 3 Subregional Planning Report	King County	3/12/04
Appendix A: Capacity Assessment Tables	King County	3/12/04
Appendix B: Flow Allocation Table and Figures	King County	3/12/04
Appendix C: Planning-Level Construction Cost Estimates	King County	3/12/04
Letter from Mayor Greg Nickels to Merilee Catero, Thornton Creek Alliance	Seattle DPD	12/14/04
Summary for SPU	NW Hydraulic Consultants	1/27/05
What's So Different About Australian Asset Management?	SPU	3/2/05
Frequently Asked Questions: Proposed Rule to List Puget Sound Steelhead	SPU	6/8/06
Lecture 5: Oceanography/Environment 260	University of Washington	6/13/06
NRDC: Rooftops to Rivers -- Green Strategies for Controlling Stormwater	Natural Resource Defense Council	11/20/06
Nearshore Habitat Use by Juvenile Chinook Salmon in Lentic Systems of the Lake Washington Basin	Fish and Wildlife Service	12/13/06

1	Regional Wastewater Services Plan Projects and Service Areas	King County	10/2/07
2	Seattle Biological Evaluation	NAFSMA	12/10/07
3	A Guide for All Works Involving Cement, Lime & Asphalt	Auckland Regional Council	9/3/08
4	Renewal of Service for NPDES CSO Flow Monitoring and Rain Gauge Systems	ADS Environmental Services	12/1/08
5	Permanent CSO Flow Meter Comprehensive Maintenance and Data Analysis	ADS Environmental Services	12/1/08
6	Sewers Float and other Aspects of Sewer Performance in Earthquakes	MMI Engineering	12/3/08
7	Synthesis of Salmon Research and Monitoring	SPU	12/31/08
8	Movement and Habitat Use of Chinook Salmon Smolts, Northern Pikeminnow and Smallmouth Bass Near the SR 520 Bridge	WA Department of Transportation	1/13/09
9	Stormwater Wet Pond and Wetland Management Handbook	US EPA	2/19/09
10	Historical and Future Trends in Precipitation Extremes...	University of Washington	3/9/09
11	Project Summary: Thornton Creek Confluence Floodplain Restoration Project	SPU	4/11/09
12	Seattle Ordinance 123113	Seattle City Clerk	10/1/09
13	State of Technology for Rehabilitation of Wastewater Collection Systems	US EPA	9/10/10
14	King County Wastewater Treatment Division's Decennial Flow Monitoring (DFM) Project: 2009-2011 DFM Meter Locations	King County	9/21/10
15	Chinook Salmon Smolt Behavior in Lake Washington and the Ship Canal	Fish and Wildlife Service	12/13/10
16	Letter to Ballard Community Member	SPU	5/23/11
17	Thornton Creek Confluence and Meadowbrook Pond Project Community Meeting #1	SPU	6/15/11
18	Thornton Creek Confluence and Meadowbrook Pond Project Community Meeting #1 - Summary	SPU	6/15/11
19	Sewer Area by Type & Model Basin Boundaries	King County	7/15/11
20	Lake Washington/Cedar/Sammamish Watershed Land Cover Change Analysis	King County	7/19/11
21	Combined Sewer Overflow Program: Long-Term Control Plan. Volume 3 - Flow Monitoring Plan	SPU	9/15/11
22	Combined Sewer Overflow Program: Long-Term Control Plan. Volume 5 - Flow Monitoring Report	SPU	9/15/11
23	Withdrawal of SEPA DNS 201105036	WA DOE	10/18/11
24	Categorical Exemption from SEPA	SPU	10/21/11
25	A New Type of Water Pollution: Concrete Drainage Infrastructure and Geochemical Contamination of Urban Waters	Marine & Freshwater Research	11/2/11

1	Known Freshwater Distribution of Steelhead Trout for Water Resource Inventory Area (WRIA) 8	King County	2/14/12
2	Meadowbrook Pond Dredging and Improvements	SPU	2/29/12
3	SEPA Environmental Checklist		
4	SPU Drainage System - Sediment Removal	SPU	4/11/12
5	CMOM at SPU	SPU	4/11/12
6	Project Manual PW# 2012-004	SPU	5/1/12
7	Water Quality Certification No. 9205	WA DOE	5/17/12
8	Meadowbrook Pond Dredging & Improvement: Tree Removal & Replacement, Habitat Improvements	SPU	5/23/12
9	SPU: Sewered Area Types & Model Basin Boundaries	King County	5/31/12
10	SPU Source System: Spill Response and Water Quality Investigations	SPU	6/28/12
11	Project #6320066, Correction Notice #1	Seattle DPD	7/3/12
12	Engineering sketches and correspondence	Roger Mebust	Various
13	Vault Plan Set 777-34	SPU	9/51
14	Vault Plan Set 262-1-1	SPU	5/27/03
15	Vault Plan Set 877-49	SPU	9/27/90
16	Vault Plan Set 777-700	SPU	8/18/11
17	Electronic mail correspondence to SPU	Peggy Gaynor	Various
18	Electronic mail correspondence to SPU	Brad Johnson	Various
19	Affidavit of Ruth Williams	Thornton Creek Alliance	7/12
20	Photographs of Meadowbrook Pond, Meadowbrook Outfall, Matthews Beach	Various	1946 - present
21	Photographs of Meadowbrook Pond, Meadowbrook Outfall, Matthews Beach	Seattle City Clerk	Various
22	Responsive documents to Appellant's First Interrogatories and Request for Production of July 10, 2012	SPU, DPD	Various

The lists above represent the Appellant's good-faith effort to name all witnesses and exhibits. Appellant reserves the right to call different or additional witnesses and exhibits as new facts come to light during hearing preparation or in response to evidence presented by the Respondents.

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DATED this 18th day of July, 2012.



By: _____

Bruce Struthers, appellant
10514 Riviera Place NE
Seattle, WA 98125
Email: bruce.struthers@comcast.net
Phone: (206) 660-1146