

**Description**

Minutes for MUP-18-020 & S-18-011 Day 2  
Save Madison Valley  
2925 E Madison St  
Tuesday, December 11, 2018

Time: 9:00 a.m.  
Examiner: Barbara Dykes Ehrlichman  
Assistant: Alayna Johnson

**Party Representatives:**

Bryan Telegin, Counsel for Appellant  
1424 Fourth Ave, Suite 500  
Seattle, WA 98101

Claudia Newman, Counsel for Appellant  
1424 Fourth Ave, Suite 500  
Seattle, WA 98101

Magda Hogness, for Department  
SDCI  
700 Fifth Ave  
Seattle, WA 98104

William Mills, for Department  
SDCI  
700 Fifth Ave  
Seattle, WA 98104

Patrick Mullaney, Counsel for Applicant  
1111 Third Ave, Suite 3000  
Seattle, WA 98101

Michelle Rusk, Counsel for Applicant  
1111 Third Ave, Suite 3000  
Seattle, WA 98101

**Date**

12/11/2018

**Location**

Large Hearing Room

<u>Time</u>	<u>Speake</u>	<u>Note</u>
<a href="#">9:01:25 AM</a>		Hearing Examiner opens Day 2 of the hearing.
<a href="#">9:01:46 AM</a>		Telegin calls Tom Spangenberg as a witness and he is sworn in.
<a href="#">9:02:39 AM</a>		Telegin offers Spangenberg's C.V. and it is marked and admitted as Exhibit 18.
<a href="#">9:03:25 AM</a>		Telegin begins direct examination of Spangenberg.
<a href="#">9:13:59 AM</a>		Telegin offers Navix report and it is marked and admitted as Exhibit 19.
<a href="#">9:14:38 AM</a>		Telegin offers CH2MHill report and it is marked and admitted as Exhibit 20.
<a href="#">9:15:48 AM</a>		Mullaney asks clarifying question.
<a href="#">9:19:17 AM</a>		Break was taken to address speaker static issue. Back on the record.
<a href="#">9:31:20 AM</a>		Mullaney objects; testifying. Overruled.
<a href="#">9:46:30 AM</a>		Telegin offers Puget Sound climate change report and it is marked and admitted as Exhibit 21.
<a href="#">9:50:49 AM</a>		Telegin offers Seattle Times article and page from SPU website and they are marked and admitted as Exhibits 22 and 23.
<a href="#">10:06:55 AM</a>		Telegin concludes. Mills begins cross examination of Spangenberg.
<a href="#">10:10:04 AM</a>		Mills concludes.
<a href="#">10:10:30 AM</a>		Mullaney begins cross examination of Spangenberg.
<a href="#">10:20:19 AM</a>		Telegin objects; vague. Overruled.
<a href="#">10:35:23 AM</a>		Break. Back at 10:50.
<a href="#">10:51:18 AM</a>		Back on the record.
<a href="#">11:05:51 AM</a>		Mullaney concludes.
<a href="#">11:06:00 AM</a>		Telegin begins redirect examination of Spangenberg.
<a href="#">11:08:33 AM</a>		Mullaney objects; leading. Overruled.
<a href="#">11:21:18 AM</a>		Mullaney objects; leading.
<a href="#">11:21:27 AM</a>		Overruled.
<a href="#">11:27:33 AM</a>		Telegin concludes.
<a href="#">11:27:36 AM</a>		Mullaney begins re-cross examination of Spangenberg.
<a href="#">11:32:52 AM</a>		Mullaney concludes.
<a href="#">11:32:57 AM</a>		Telegin begins redirect examination of Spangenberg.
<a href="#">11:38:07 AM</a>		Telegin offers map of Madison Valley overland flowpaths and it is marked and admitted as Exhibit 24.
<a href="#">11:43:07 AM</a>		Telegin concludes.
<a href="#">11:43:15 AM</a>		Mullaney begins re-cross examination of Spangenberg.
<a href="#">11:44:22 AM</a>		Telegin objects; outside scope.
<a href="#">11:44:31 AM</a>		Overruled.
<a href="#">11:47:49 AM</a>		Telegin objects; outside scope.
<a href="#">11:47:57 AM</a>		Overruled.
<a href="#">11:50:47 AM</a>		Mullaney concludes.
<a href="#">11:50:51 AM</a>		Telegin begins redirect examination of Spangenberg.
<a href="#">11:51:40 AM</a>		Telegin concludes.

<a href="#">11:53:08 AM</a>	Newman calls Ross Tilghman as a witness and he is sworn in.
<a href="#">11:53:48 AM</a>	Newman begins direct examinatin of Tilghman.
<a href="#">12:00:26 PM</a>	Newman offers Tilghman's CV and it is marked and admitted as Exhibit 25.
<a href="#">12:26:01 PM</a>	Mullaney objects; leading. Sustained.
<a href="#">12:29:04 PM</a>	Break for lunch. Back at 1:45.
<a href="#">1:50:25 PM</a>	Back on the record.
<a href="#">2:28:36 PM</a>	Newman offers vehicle turning documents and they are marked and admitted as Exhibits 26 and 27.
<a href="#">2:37:51 PM</a>	Newman offers curb cut departure support memorandum and it is marked and admitted as Exhibit 28.
<a href="#">3:24:14 PM</a>	Newman offers e-mail from Tilghman to Hogness and it is marked and admitted as Exhibit 29. Newman offers memorandum from Tilghman to Melissa Stoker and it is marked and admitted as Exhibit 30.
<a href="#">3:29:41 PM</a>	Newman offers another memo from Tilghman to Stoker and it is marked and admitted as Exhibit 31.
<a href="#">3:37:49 PM</a>	Newman concludes.
<a href="#">3:37:57 PM</a>	Break. Back at 3:50.
<a href="#">3:49:58 PM</a>	Back on the record.
<a href="#">3:50:09 PM</a>	Mills begins cross examination of Tilghman.
<a href="#">3:55:09 PM</a>	Mills concludes.
<a href="#">3:55:17 PM</a>	Mullaney begins cross examination of Tilghman.
<a href="#">3:59:51 PM</a>	Newman asks for clarification of question.
<a href="#">4:01:45 PM</a>	Mullaney offers traffic impact analysis and it is marked and admitted as Exhibit 33.
<a href="#">4:06:54 PM</a>	Newman objects; vague. Mullaney rephrases.
<a href="#">4:31:22 PM</a>	Newman objects; sustained.
<a href="#">4:32:22 PM</a>	Newman objects; asked and answered. Sustained.
<a href="#">4:35:33 PM</a>	Newman objects; asked and answered. Overruled.
<a href="#">4:49:18 PM</a>	Mullaney concludes.
<a href="#">4:49:28 PM</a>	Newman begins redirect examination of Tilghman.
<a href="#">4:58:02 PM</a>	Newman concludes.
<a href="#">4:58:09 PM</a>	Mullaney begins re-cross examination of Tilghman.
<a href="#">5:01:07 PM</a>	Mullaney concludes.
<a href="#">5:01:16 PM</a>	Newman begins redirect examination of Tilghman.
<a href="#">5:02:56 PM</a>	Newman concludes.
<a href="#">5:02:59 PM</a>	Hearing Examiner closes Day 2 of the Hearing.