

Description	<p>Minutes for W-21-007 Hearing Day 2 TreePAC Environmental Impact Rview Townhouse Reforms Legislation Tuesday, March 1, 2022</p> <p>Time: 9:00 a.m. Examiner: Susan Drummond Assistant: Angela Oberhansly</p> <p>Party Representatives:</p> <p>David Moehring, Legal Representative for the Appellant</p> <p>Daniel Mitchell, Legal Representatie for the Department, OPCD</p> <p>Witnesses:</p> <p>Megan Neuman, SDCI</p> <p>Jacqueline Faith Ramos, Seattle Clty Light</p> <p>William Lider</p> <p>Brian Derdowski</p> <p>Martin Kaplan</p> <p>Kathleen Wolf</p> <p>Richard Ellison</p>
Date	3/1/2022 Location LargeHearingRoom

<u>Time</u>	<u>Speaker</u>	<u>Note</u>
9:00:35 AM		Examiner opens hearing
9:03:38 AM		Megan Neuman is called to resume testimony as witness
9:04:09 AM		David Moehring resumes cross examination of Neuman
9:05:46 AM		Neuman testifies to role involvement
9:06:59 AM		Moehring requests Neuman to read Interrogatory No. 5, in Appellant Exhibit 52.
9:08:52 AM		Moehring requests Neuman to read specific excerpt in Exhibit 7
9:09:56 AM		Neuman responds
9:10:26 AM		Moehring requests Neuman to read specified excerpts, confirm elements of diagram, parking requirements included in Exhibit 9
9:11:37 AM		Neuman responds
9:16:32 AM		Moehring requests Neuman to describe depiction and confirm contents of diagram in Exhibit 10
9:17:22 AM		Neuman responds
9:19:28 AM		Moehring requests Neuman to name what is shown and confirm contents of diagram in Exhibit 12
9:20:26 AM		Neuman responds
9:25:19 AM		Moehring cross examines Neuman re code Section 23.24.045, code Section 23.24.040, and other code provisions
9:25:36 AM		Neuman responds
9:39:02 AM		Examiner challenges relevance of question asked by Moehring
9:40:19 AM		Moehring rephrases question
9:40:42 AM		Neuman responds
9:41:24 AM		Moehring concludes cross examination of witness
9:41:39 AM		Mitchell begins cross examination of Neuman
9:42:03 AM		Neuman responds
9:42:51 AM		Mitchell concludes cross ex
9:43:03 AM		Neuman is dismissed from the hearing
9:43:18 AM		J. Faith Ramos is called as witness for OPCD
9:43:48 AM		Ramos is sworn in
9:43:56 AM		Mitchell begins cross examination of Ramos
9:44:40 AM		Ramos responds
9:48:15 AM		Mitchell presents Appellant Exhibit 74 to Ramos
9:48:46 AM		Ramos responds
9:53:10 AM		Mitchell concludes
9:53:15 AM		Moehring begins cross examination of Ramos
9:53:33 AM		Moehring presents Appellant Exhibit 74 to Ramos for questioning
9:54:11 AM		Ramos responds
9:55:16 AM		Moehring presents Appellant Exhibit 73 to Ramos for questioning
9:57:02 AM		Ramos responds
10:03:44 AM		Moehring presents Appellant Exhibit 70 to Ramos for questioning

10:04:38 AM	Ramos responds
10:05:16 AM	Moehring concludes
10:05:21 AM	Mitchell cont
10:06:04 AM	Ramos responds
10:06:36 AM	Ramos is dismissed from hearing
10:06:54 AM	Examiner pauses hearing for a short break to return at 10:21 am
10:21:18 AM	Examiner resumes the hearing
10:21:39 AM	William Lider is called as witness for the Appellant
10:22:00 AM	Moehring begins cross examination of Lider
10:22:08 AM	Moehring presents Appellant Exhibit 33 to Lider for questioning
10:22:59 AM	Lider responds
10:24:24 AM	Moehring presents Appellant Exhibit 66 to Lider for questioning
10:25:33 AM	Lider responds
10:33:59 AM	Moehring presents Appellant Exhibit 65 to Lider for questioning
10:34:19 AM	Lider responds
10:47:29 AM	Moehring presents Exhibit 3 to Lider for questioning
10:47:55 AM	Lider responds
11:03:48 AM	Mitchell objects to form of question
11:04:10 AM	Examiner overrules objection
11:04:52 AM	Lider responds
11:06:41 AM	Moehring concludes
11:06:43 AM	Mitchell begins cross examination of Lider
11:07:04 AM	Lider responds
11:11:26 AM	Moehring objects to form of question
11:11:55 AM	Examiner overrules objection
11:12:04 AM	Mitchell clarifies intent of question form
11:12:19 AM	Lider responds
11:12:48 AM	Mitchell concludes
11:12:55 AM	Moehring cross examines Lider
11:13:48 AM	Lider responds
11:14:53 AM	Moehring concludes cross
11:15:00 AM	Testimony of Lider concludes
11:15:21 AM	Brian Derdowski is sworn in as witness for Appellant
11:15:41 AM	Moehring begins cross examination of Derdowski
11:15:58 AM	Derdowski responds
11:35:42 AM	Examiner interjects, requesting testimony stay fact based
11:36:51 AM	Moehring redirects cross examination of Derdowski
11:37:16 AM	Derdowski responds
11:56:13 AM	Examiner pauses the hearing for a lunch break, will return at 1 pm
1:00:07 PM	Examiner resumse the hearing
1:00:25 PM	Moehring proceeds cross examination of Derdowski
1:02:33 PM	Derdowski responds with testimony

1:06:46 PM	Mitchell objects to the form of the question
1:07:04 PM	Moehring rephrases the question to Derdowski
1:07:32 PM	Derdowski responds
1:13:06 PM	Moehring presents the MHA Final EIS Nov. 2017 document to Derdowski
1:14:05 PM	Derdowski responds
1:36:10 PM	Moehring concludes cross
1:36:19 PM	Mitchell begins cross examination of Derdowski
1:39:11 PM	Mitchell presents Appellant Exhibit 35 to Derdowski for questioning
1:39:39 PM	Derdowski responds
1:50:57 PM	Mitchell concludes cross
1:51:05 PM	Moehring starts cross examination of Derdowski
1:51:28 PM	Derdowski concludes testimony and is dismissed from the hearing
1:51:50 PM	Martin Kaplan is called as witness for the Appellant
1:52:05 PM	Kaplan is sworn in
1:52:10 PM	Moehring begins cross examination of Kaplan
1:52:50 PM	Kaplan provides testimony
2:01:42 PM	Mitchell objects to relevance of testimony
2:02:10 PM	Moehring responds
2:02:59 PM	Examiner overrules objection
2:03:14 PM	Kaplan continues testimony
2:04:54 PM	Moehring presents Appellant Exhibit 14 to Kaplan for questioning
2:05:40 PM	Kaplan responds
2:16:23 PM	Moehring presents Exhibit 15 to Kaplan for questioning
2:22:19 PM	Moehring concludes cross examination
2:22:30 PM	Mitchell begins cross examination of Kaplan
2:22:47 PM	Kaplan responds
2:24:37 PM	Mitchell concludes cross examination
2:24:44 PM	Kaplan concludes testimony as witness and is dismissed from the hearing
2:25:07 PM	Kathleen Wolf is sworn in as witness to the Appellant
2:25:48 PM	Moehring begins cross examination of Wolf
2:26:00 PM	Moehring presents Appellant Exhibit 36 to Wolf for questioning
2:26:19 PM	Wolf begins testimony
2:32:45 PM	Moehring presents Appellant Exhibit 68 to Wolf for questioning
2:36:08 PM	Moehring presents Appellant Exhibit 38 to Wolf for questioning
2:36:14 PM	Wolf continues testimony
2:45:07 PM	Moehring presents Appellant Exhibit 40 to Wolf for questioning
2:45:44 PM	Wolf continues testimony
2:53:54 PM	Moehring presents Appellant Exhibit 37 to Wolf for questioning
2:58:25 PM	Wolf continues testimony
3:05:41 PM	Moehring presents Appellant Exhibit 38 to Wolf for questioning

3:05:44 PM		Wolf provides testimony with regard to presented exhibit
3:18:32 PM		Moehring presents Exhibit 9 to Wolf for questioning
3:28:12 PM		Moehring presents Appellant Exhibit 1 to Wolf for questioning
3:29:34 PM		Wolf continues testimony
3:32:40 PM		Moehring concludes
3:33:02 PM		Mitchell begins cross examination of Wolf
3:38:07 PM		Mitchell concludes cross
3:38:14 PM		Wolf concludes testimony as witness and is dismissed from the hearing. Examiner pauses hearing for a short break. Hearing will resume at 3:53 pm
3:53:22 PM		Examiner resumes the hearing
3:53:39 PM		Richard Ellison is sworn in as witness for the Appellant
3:54:23 PM		Moehring begins cross exam of Ellison
3:54:35 PM		Moehring presents Appellant Exhibit 51 to Ellison for questioning
4:03:20 PM		Ellison provides testimony
4:08:51 PM		Moehring presents Exhibit 3 to Ellison for questioning
4:20:29 PM		Ellison continues testimony
4:26:17 PM		Moehring presents Appellant Exhibits 21A-D, 22, and 23 to Ellison for questioning
4:27:48 PM		Ellison provides testimony with respect to presented exhibits
4:31:51 PM		Moehring presents Appellant Exhibit 21A
4:31:56 PM		Ellison provides testimony with respect to the presented exhibit
4:33:31 PM		Moehring presents Exhibit 10 to Ellison
4:33:45 PM		Ellison responds
4:34:29 PM		Moehring presents Appellant Exhibit 21B to Ellison
4:34:41 PM		Ellison gives testimony with respect to presented exhibit
4:35:59 PM		Moehring presents Appellant Exhibits 21C and 21D to Ellison
4:37:59 PM		Moehring presents Exhibit 3 to Ellison
4:45:21 PM		Ellison provides testimony with respect to presented exhibit
4:51:36 PM		Moehring concludes cross
4:51:53 PM		Mitchell begins cross examination of Ellison
4:56:40 PM		Ellison responds
5:00:24 PM		Mitchell concludes cross
5:00:48 PM		Moehring will continue cross exam. of Ellison tomorrow
5:01:55 PM		Examiner closes hearing for the day