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BEFORE THE HEARING EXAMINER
FOR THE CITY OF SEATTLE

In the Matter of the Appeal of:

SEATTLE MOBILITY COALITION

From a Decision by the Seattle City Council
Central Staff

No. W-23-001

CITY’S WITNESS & EXHIBIT LIST

Respondent City of Seattle submits the following list of witnesses and exhibits in the above referenced appeal:

I. WITNESS LIST

1. **Ketil Freeman, Seattle City Council, Council Central Staff Analyst.** Mr. Freeman is expected to testify regarding the proposal that is the subject of this appeal (Proposal) and the State Environmental Policy Act (SEPA) processes. Mr. Freeman conducts SEPA review for the Legislative branch and was the lead staffer for the DNS decision and analysis that is the subject of this appeal (DNS). He will also respond to Appellant’s claims of procedural and substantive SEPA errors, including lay and expert testimony.

2. **Lish Whitson, Seattle City Council Staff Analyst.** Mr. Whitson is expected to testify regarding the proposal that is the subject of this appeal. Mr. Whitson was one of two reviewers and signatories on the SEPA checklist, and he will testify about his review and will respond to claims raised

1 by Appellant, including lay and expert testimony.

2 3. **Calvin Chow, Seattle City Council Staff Analyst.** Mr. Chow is expected to testify
3 regarding the proposal that is the subject of this appeal. Mr. Chow was the second reviewer and
4 signatory to the SEPA checklist. Mr. Chow will testify about his review of the SEPA checklist and
5 respond to claims raised by Appellant, including lay and expert testimony.

6 4. **Kendra Breiland, Fehr & Peers, Transportation Planner.** Ms. Breiland is expected to
7 testify about development of key components of the proposal, including the existing systems value
8 methodology, use of a similar methodology in other locations and she will also address the appellants'
9 claims raised in SMB's notice of appeal including lay and expert testimony.

10 5. **Andrew Bjorn, Berk Consulting.** Mr. Bjorn is expected to respond to appellant's
11 claims that the DNS should have analyzed impacts to housing and housing affordability, including
12 expert testimony.

13 6. All other witnesses identified or called by any other party, including expert testimony.

14 7. Witnesses necessary to authenticate documents.

15 8. Witnesses in rebuttal or other evidence introduced by any other party.

16 II. EXHIBIT LIST

17 1. Resume of Ketil Freeman.

18 2. Resume of Lish Whitson.

19 3. Resume of Calvin Chow.

20 4. Resume of Kendra Breiland.

21 5. Resume of Andrew Bjorn.

22 6. City of Seattle Department of Construction and Inspections, Final Environmental
23 Impact Statement for the Seattle Comprehensive Plan Update, May 2016.

1 7. City of Seattle Department of Construction and Inspections, Draft Environmental
2 Impact Statement for the Seattle Comprehensive Plan Update, May 2015.

3 8. Seattle Department of Transportation, Seattle Transit Master Plan, Determination of
4 Non-significance, February 2012.

5 9. Seattle Department of Transportation, Seattle Transit Master Plan, SEPA Checklist,
6 February 2012.

7 10. Department of Transportation, Seattle Transit Master Plan Final Summary Report,
8 Adopted February 2012, Amended 2016.

9 11. Seattle Department of Transportation, Seattle Bicycle Master Plan, Determination of
10 Non-significance, December 2013.

11 12. Seattle Department of Transportation, Seattle Bicycle Master Plan, SEPA Checklist,
12 November 2013.

13 13. Seattle Department of Transportation, Seattle Bicycle Master Plan, April 2014.

14 14. Seattle Department of Transportation, Seattle Freight Master Plan, Determination of
15 Non-significance, August 2016.

16 15. Seattle Department of Transportation, Seattle Freight Master Plan, SEPA Checklist,
17 August 2016.

18 16. Seattle Department of Transportation, Seattle Freight Master Plan, September 2016.

19 17. Seattle Department of Transportation, Seattle Pedestrian Master Plan, Determination
20 of Non-significance, February 2017.

21 18. Seattle Department of Transportation, Seattle Pedestrian Master Plan, SEPA
22 Checklist, January 2017.

23 19. Seattle Department of Transportation, Seattle Pedestrian Plan, June 2017.

- 1 20. City of Seattle, Office of Planning and Community Development, Final
- 2 Environmental Impact Statement for the Seattle Industrial & Maritime Strategy, September 2022.
- 3 21. Fehr & Peers’ DRAFT Seattle Impact Fee Study, dated August 2019.
- 4 22. Memorandum from Rebecca Schwartzman et al., to K. Freeman, Dec. 4, 2018.
- 5 23. Draft versions of SEPA Checklist for current proposal.
- 6 a. 2018 base checklist, Draft, Draft v.1A, Draft v.2
- 7 24. Journal of Planning Education and Research, published online July 23, 2013, entitled
- 8 “Do All Impact fees Affect Housing Prices the Same?”, by Shishir Mathur.
- 9 25. Understanding the effects of Impact Fees on Housing, by Andrew Bjorn, Berk
- 10 Consulting, dated August 17, 2023.
- 11 26. Burke Gilman Trail Missing Link Project, Economic Considerations Report, Prepared by
- 12 ECONorthwest, Draft Environmental Impact Statement, dated May 2016.
- 13 27. MHA Outcomes, Report, Seattle Office of Housing, dated April 26, 2023.
- 14 28. Seattle is now building more ADUs than single houses, by Daniel Beekman, dated
- 15 March 8, 2023.
- 16 29. WAC 197-11-800, categorical exemptions.
- 17 30. Illustrative exhibits.
- 18 31. Exhibits identified in the final witness list of any other party.
- 19 32. Exhibits in rebuttal to testimony or other evidence introduced by any other party.

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DATED this 18th day of August 2023.

ANN DAVISON
Seattle City Attorney

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Attorney for Defendant /Respondent City of Seattle

1 **CERTIFICATE OF SERVICE**

2 I certify that on this day, I caused a true and correct copy of the foregoing document to be
3 served on the following in the manner indicated below:

<p>4 Courtney Kaylor, WSBA #27519 5 David P. Carpman, WSBA #54753 6 McCullough Hill PLLC 7 701 Fifth Avenue, Suite 6600 8 Seattle, WA 98106 9 (206) 812-3388 10 courtney@mhseattle.com 11 dcarpman@mhseattle.com 12 13 Attorneys for Appellant Seattle 14 Mobility Coalition</p>	<p>() U.S. Mail () ABC Legal Messengers () Faxed (XX) Via Email</p>
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15 Dated this 18th day of August 2023, at Seattle, Washington.

16 s/ Eric Nygren
17 Eric Nygren, Legal Assistant