



BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

19<sup>TH</sup> Ave Block Watch/Squire Park  
Neighbors

Appeal of DPD EIS

File No. MUP 15-010 - MUP 15-015

DPD # 3012953

Swedish Medical Center Cherry Hill Campus  
Master Plan – 500 17<sup>th</sup> Ave

Appellant's Motion to Exclude Applicants'  
Expert Testimony

The Applicants submitted an amended witness list on June 29, 2015. The Applicants have identified John Perlic, P.E., Parametrix, Inc., to testify regarding traffic and transportation issues and have stated Mr. Perlic's resume is forthcoming and will be provided at an undisclosed future date. The Appellant would not oppose accepting Applicants' late modified witness list and receiving Mr. Perlic's extremely late resume some day.

However, in light of the Applicants' motion to exclude specific Appellants' expert witnesses from consideration for a variety of stated reasons and opinions, including Ms. Amtmann, who Applicants claim is no expert but feel compelled to depose anyway and whose qualifications were submitted as found through public record to meet the deadline, we must ask for equitable consideration.

Again, we must state that the Appellant's desire is to allow *all* the experts to testify. However, should the Hearing Examiner consider excluding Appellant's expert witnesses, then we must ask that Mr. Perlic also be excluded because:

- He was not identified by June 12, 2015 when the final list of witnesses and exhibits were to be provided to all parties.
- It is July 2, 2015 and the Applicants have yet to produce Mr. Perlic's resume.
- The Applicants have produced six other witnesses to speak on the same or similar topics as Mr. Perlic and it is unclear how seven witnesses will provide more assistance than four, five or six witnesses in understanding the evidence or determining an issue of fact concerning traffic and transportation.

19<sup>th</sup> Ave Block Watch is appreciative for the opportunity provided by the Hearing Examiner to allow our voices to be heard through this administrative appeal process.

Thank you.

*Vicky Schiantarelli*

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July 2, 2015

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July 2, 2015

**Response to Motion to Exclude Expert Testimony MUP 15-010-MUP 15-015**

Project Number: 3012953

Address: 500 17<sup>th</sup> Ave

The Applicants are in error with their arguments concerning the expert identified for exclusion, Nicholas Richter, meets the requirements to be considered as an expert before the Hearing Examiner.

Mr. Richter's has an urban planning background and is currently working for a California public transportation entity. Although he is not an engineer, an engineering degree or license is not necessary to be an expert concerning transportation planning. Mr. Richter's experience in Sweden, a country, which demonstrates public transportation and public policy best practices internationally, enhances his credentials, not detracts from them. Mr. Richter can identify the challenges within the EIS to these kinds of specific issues.

The Applicants argue that Mr. Richter is not qualified to express an opinion in regards to "*small-scale, trip generation and impacts analyzed in the EIS or the proper design of transportation management programs aimed at influencing the individual transportation decisions of employees, patients, and consultants.*"

Mr. Richter is qualified to express opinions regarding a TMP, but even more importantly in regards to the EIS hearing. The more important issues go beyond "small-scale" and beyond TMP's. The fact that the Applicants think that those are the transportation-related issues in the EIS is, in itself, contributing to the argument that the EIS is inadequate. The EIS should have analyzed alternatives that would allow more of the jobs of Providence/Swedish (on the one hand) and Sabey (on the other hand) and the commuting that goes with it to be located in different locations — locations that are in urban villages and that are served by robust public transportation routes. Those locations would include places in urban villages within shorter distances from light rail stations and frequent bus routes. Mr. Richter can also testify as to the impacts and consequences of major institution expansion outside an urban village without transition to a residential neighborhood.

Mr. Richter plans to testify as to issues concerning the MIMP separately from the EIS on Friday since that is the only day he could fly in from Oakland.

Thank you for your consideration.

Thank you.

*Mary Pat DiLeva*

Mary Pat DiLeva  
Cherry Hill Community Council

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