

**EXHIBIT LIST
BEFORE THE HEARING EXAMNER
CITY OF SEATTLE**

<p>In the Matter of the Appeals of</p> <p>FOSS MARITIME COMPANY AND PORT OF SEATTLE</p> <p>From an interpretation issued by the Director, Department of Planning and Development</p>	<p>Hearing Examiner Files: S-15-001 S-15-002</p> <p>Department Reference: 15-001</p> <p>EXHIBIT LIST</p>
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Exhibit #	Offered By	Admitted?	Description	Date
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**DPD
EXHIBITS**

DPD 1	Department	Y	DPD Permits for Terminal 5	Various
DPD 2- DPD 3			<i>Not offered for admission</i>	
DPD 4	Department	Y	Resolution 27618	Various
DPD 5	Department	Y	Ordinance 100423	Various
DPD 6	Department	Y	Ordinance 106200	Various
DPD 7	Department	Y	Ordinance 111078	Various
DPD 8	Department	Y	Ordinance 113466	Various
DPD 9	Department	Y	Seattle Shoreline Master Program Revision Project	5/1984
DPD 10			<i>Not offered for admission</i>	
DPD 11	Department	Y	Permits for Terminal 91	Various
DPD 12			<i>Not offered for admission</i>	
DPD 13	Department	Y	Kick Off Meeting Notes	1/18/14
DPD 14	Department	Y	Kick Off Meeting Attendance Sheet	1/18/14
DPD 15	Department	Y	E-mail and meeting notes from Lindsay King to Larry Ahern	4/24/14

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DPD 16	Department	Y	E-mail from Lindsey King to Larry Ahern	4/29/14
DPD 17	Department	Y	Permits for Pier 66	Various
DPD 18- DPD 20			<i>Not offered for admission</i>	
DPD 21	Department	N	Documents from Port of Seattle Website	N/A
DPD 22			<i>Not offered for admission</i>	
DPD 23	Department	Y	Transcript for Port of Seattle Commission Special Meeting (pg. 1-7, 13-17)	1/13/15
DPD 24	Department	Y	Port Memo for Staff Briefing	1/9/15
DPD 25	Department	Y	Seaport Briefing to Port	1/9/15
DPD 26	Department	Y	E-mail Correspondence re: Bollard Replacement at T-5	1/5/15
DPD 27	Department	Y	E-mail from Seaport to Port	1/26/15
DPD 28	Department	Y	E-mail from Paul Gallagher to Scott Pattison	12/4/14
DPD 29	Department	Y	E-mail from Pattison with T-5 Briefing Packet	10/9/14
DPD 30	Department	N	Linda Styrk Biography	N/A
DPD 31	Department	Y	Blue Jacket to Council, Mayor's Transmittal Letter, Ordinance 124105	N/A
DPD 32	Department	N	Marine Industrial Land Study, Port of Seattle	11/1998
DPD 33	Department	Y	Memo from City Council re: Ordinance	N/A
DPD 34	Department	Y	Webster's Third New Intl' Dictionary Definition of "Terminal"	N/A
DPD 35	Department	N	Transcript of Summary Judgment Hearing, Puget Soundkeeper Alliance v. Port of Seattle	7/31/15
DPD 36	Department	Y	Port of Seattle DEIS and FEIS for Terminal 30	10/2006 and 2/2007
DPD 37			<i>Not offered for admission</i>	

**FOSS
EXHIBITS**

F001	Appellant (Foss)	Y	DPD Interpretation No. 15-001	5/7/15
F002	Appellant (Foss)	Y	DPD Draft of Interpretation prepared by McKim	N/A

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F003-F007			<i>Not offered for admission</i>	
F008	Appellant (Foss)	Y	Draft questions for Interpretation	4/13/15
F009-F015			<i>Not offered for admission</i>	
F016	Appellant (Foss)	Y	T5 Lease Moorage Graphic for DPD Meeting	3/13/15
F017	Appellant (Foss)	Y	Meeting notes by McKim	3/13/15
F018	Appellant (Foss)	Y	Preliminary Answers from Port of Seattle from meeting with DPD	3/13/15
F019	Appellant (Foss)	Y	E-mail Correspondence from Traci Goodwin	4/6/15
F020	Appellant (Foss)	Y	Port of Seattle Memorandum to DPD	4/6/15
F021	Appellant (Foss)	Y	E-mail Correspondence re: Letter to McKim Terminal 5 Activities	4/8/15
F022	Appellant (Foss)	Y	Letter from Port of Seattle to DPD re: request for additional information	4/15/15
F023	Appellant (Foss)	Y	Declaration of George Blomberg	4/23/15
F024	Appellant (Foss)	Y	Declaration of Paul Meyer	4/23/15
F025	Appellant (Foss)	Y	Webster Dictionary Definition of "good" (F025)	N/A
F026-F027			<i>Not offered for admission</i>	
F028	Appellant (Foss)	N	Foster Pepper Letter to Dianne Sugimura	4/15/15
F029	Appellant (Foss)	N	Styrk Letter Sugimura re: Cargo Uses	4/15/15
F030-F032			<i>Not offered for admission</i>	
F033	Appellant (Foss)	Y	SMUP Southwest Harbor Redevelopment and City of Seattle Analysis/Decision	9/21/95

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F034-F035			<i>Not offered for admission</i>	
F036	Appellant (Foss)	Y	Lease Agreement between Port of Seattle and Foss Maritime	2/9/15
F037	Appellant (Foss)	Y	Commission Agenda, POS Memorandum, Staff Briefing re: meeting on 1/7/15	1/7/15
F038			<i>Not offered for admission</i>	
F039	Appellant (Foss)	Y	Letter of Understanding	1/9/15
F040-F045			<i>Not offered for admission</i>	
F046	Appellant (Foss)	Y	Memorandum from Paul Meyer	2/11/15
F047	Appellant (Foss)	Y	Letter from Port to Perkowski re: Request for Shoreline Substantial Development Permit Exemption	1/21/15
F048	Appellant (Foss)	Y	Shoreline Exemption Request Form	1/23/15
F049	Appellant (Foss)	Y	E-mail from Blomberg to Perkowski re: Exemption Request	1/28/15
F050	Appellant (Foss)	Y	E-mail from Perkowski to Blomberg re: Exemption Request and Correction Notice #1	2/3/15
F051	Appellant (Foss)	Y	Memorandum from Blomberg re: SEPA Exemption for Repair and Maintenance with attachments	2/4/15
F052	Appellant (Foss)	Y	Memorandum from Blomberg re: SEPA Exemption for Repair and Maintenance, no attachments	2/4/15
F053	Appellant (Foss)	Y	E-mail from Meyer to Perkowski re: DPD Correction Notice	2/5/15
F054	Appellant (Foss)	Y	DPD Shoreline Exemption Request Result	2/5/15
F055	Appellant (Foss)	Y	Exemption from Shoreline Management Act Substantial Development Permit Requirement	2/5/15

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F056-F060			<i>Not offered for admission</i>	
F061	Appellant (Foss)	Y	Photos of goods and cargo stored at T5	N/A
F062	Appellant (Foss)	Y	Photos of goods and cargo loaded to Polar Pioneer	N/A
F063	Appellant (Foss)	Y	Final Loadout Plan for Polar Pioneer	6/18/15
F064	Appellant (Foss)	Y	Final Tubular Loadout for Polar Pioneer	6/18/15
F065	Appellant (Foss)	Y	Photos of goods and cargo loaded to Harvey Champion	5/7/15
F066	Appellant (Foss)	Y	Photos of Harvey Champion Loadout	5/7/15
F067	Appellant (Foss)	Y	Final Stow for Harvey Champion	N/A
F068	Appellant (Foss)	Y	Photos of goods and cargo loaded to Harvey Supporter	N/A
F069	Appellant (Foss)	Y	Photos of goods and cargo loaded to Harvey Explorer	N/A
F070	Appellant (Foss)	Y	Photos of goods and cargo loaded to Barge Tuuq	N/A
F071	Appellant (Foss)	Y	Photos of goods and cargo loaded to Sisuaq	N/A
F072	Appellant (Foss)	Y	Photos of goods and cargo loaded to Foss KRS 286-6	N/A
F073	Appellant (Foss)	Y	TOR Viking II – Deck Load T5	N/A
F074	Appellant (Foss)	Y	TOR Viking II – Stow Plan	N/A
F075	Appellant (Foss)	Y	Photos of goods and cargo loaded to Aiviq	N/A
F076	Appellant (Foss)	Y	Aiviq T5 Revised Stow Plan	5/13/15

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F077	Appellant (Foss)	Y	Photos of pipe loading	N/A
F078	Appellant (Foss)	Y	Material Manifests and Bills of Lading for Polar Pioneer	N/A
F079	Appellant (Foss)	Y	FSA Invoices – groceries for Polar Pioneer	N/A
F080	Appellant (Foss)	Y	Material Manifest for Harvey Champion	N/A
F081	Appellant (Foss)	Y	Material Manifests for Harvey Supporter	N/A
F082	Appellant (Foss)	Y	Material Manifest for Harvey Explorer	N/A
F083	Appellant (Foss)	Y	Material Manifest for Sisuaq	N/A
F084	Appellant (Foss)	Y	Material Manifest for Foss KRS 286-6	N/A
F085	Appellant (Foss)	Y	Material Manifest for Aiviq	N/A
F086	Appellant (Foss)	Y	Department of Homeland Security Certificate of Compliance for Polar Pioneer	6/14/15
F087	Appellant (Foss)	Y	Permanent Certificate of Registry for Polar Pioneer	10/22/10
F088	Appellant (Foss)	Y	DNV Interim Classification Certificate	5/19/15
F089	Appellant (Foss)	Y	DPD Decision, #3006901	6/7/07
F090	Appellant (Foss)	Y	DPD Decision, #3017290	8/14/14
F091- F103			<i>Not offered for admission</i>	
F104	Appellant (Foss)	Y	Terminal 5 Site Visit Notes	5/15/15
F105	Appellant (Foss)	Y	DPD Shoreline Notice of Violation #1034649	5/18/15
F106- F110			<i>Not offered for admission</i>	

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F111	Appellant (Foss)	Y	DPD Decision, #3003133	11/2/05
F112	Appellant (Foss)	Y	Verbatim Transcript of Proceedings	8/13/15
F113	Appellant (Foss)	N	Transcript of Andy McKim Deposition	7/22/15
F114	Appellant (Foss)	Y	Permits for T18	7/9/98

**PORT
EXHIBITS**

P1	Appellant (Port)	Y	Vessel Berthing Status Diagram (ACOE USCG)	1/14/11
P2	Appellant (Port)	Y	Vessel Berthing Status Diagram (Events)	5/23/15
P3	Appellant (Port)	Y	Vessel Berthing Status Diagram (Events)	6/24/15
P4	Appellant (Port)	Y	Vessel Berthing Status Diagram (Events)	7/17/15
P5	Appellant (Port)	Y	Vessel Berthing Status Diagram (Events)	8/11/14
P6	Appellant (Port)	Y	Vessel Berthing Status Diagram (Schedule)	9/10/13
P7	Appellant (Port)	Y	Vessel Berthing Status Diagram (Events)	11/26/14
P8	Appellant (Port)	Y	Vessel Berthing Status Diagram (Schedule)	12/17/10
P9	Appellant (Port)	Y	2014 VSL Log (July – December)	2014
P10	Appellant (Port)	Y	2015 VSL Log (January – June)	2015
P11	Appellant (Port)	Y	Vessel Activity Report	1996- 2015
P12	Appellant (Port)	Y	Photograph of Canadian Vessel	7/29/15

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P13	Appellant (Port)	Y	Photograph of Canadian Vessel	7/29/15
P14	Appellant (Port)	Y	Photograph of Navy Vessels at Pier 66	7/30/15
P15	Appellant (Port)	Y	Photograph of Navy Vessels at Pier 66	7/30/15
P16	Appellant (Port)	Y	Photograph of Navy Vessels at Terminal 91	7/30/15
P17	Appellant (Port)	Y	Photograph of Navy Vessels at Terminal 91	7/30/15
P18	Appellant (Port)	Y	Photograph of Aleutian Key	9/13/77
P19	Appellant (Port)	Y	Photograph of Ocean Odyssey	12/1/83
P20	Appellant (Port)	Y	Photograph of Oil Rig	12/1985
P21	Appellant (Port)	Y	Permit for Shoreline Management Substantial Development	5/2/96
P22	Appellant (Port)	Y	Terminal Tariff #5	5/14/15
P23	Appellant (Port)	Y	Mooring Dolphins Map	7/21/15
P24	Appellant (Port)	Y	Port Maritime Facilities Diagram	7/30/15
P25	Appellant (Port)	Y	Photograph of Kalakala	11/1998
P26	Appellant (Port)	Y	Photograph of Darrada at Pier 66	9/1991
P27	Appellant (Port)	Y	Photograph of Pier 66	8/1998
P28	Appellant (Port)	Y	Photograph of Serene at Terminal 91	9/2013
P29	Appellant (Port)	Y	Photograph of Project Arabia at Terminal 37	1/1999
P30			<i>Not offered for admission</i>	

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P31	Appellant (Port)	Y	Declaration of Port Photographer Don Wilson	
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**SOUND
KEEPER
EXHIBITS**

S1	Intevenor (Soundkeeper)	Y	Map of T5 and Surrounding Area prepared by Joerger	N/A
S2	Intevenor (Soundkeeper)	Y	Port of Seattle and WA Dept. of Natural Resources Port Management Agreement	1998
S3	Intevenor (Soundkeeper)	N	Port of Seattle Harbor Development Strategy	6/26/01
S4-S5			<i>Not offered for admission</i>	
S6	Intevenor (Soundkeeper)	Y	Monroe Dictionary of Maritime and Transportation Terms Definitions	N/A
S7	Intevenor (Soundkeeper)	Y	Black's Law Dictionary Definitions	
S8-S11			<i>Not offered for admission</i>	
S12	Intevenor (Soundkeeper)	Y	E-mail re: T-5 Interim Use Consistency Analysis	1/12/15
S13			<i>Not offered for admission</i>	
S13 A	Intevenor (Soundkeeper)	Y	Complete Exhibit 13. E-mail re: Draft T-5 Lease Attributes	1/29/15
S13 B			<i>Not offered for admission</i>	
S14			<i>Not offered for admission</i>	
S14 A			<i>Not offered for admission</i>	
S14 B	Intevenor (Soundkeeper)	Y	Complete Exhibit 14A. E-mail re: Draft T-5 Term Lease Use of Premises	1/31/15
S15			<i>Not offered for admission</i>	
S15 A			<i>Not offered for admission</i>	
S15 B	Intevenor (Soundkeeper)	Y	Complete Exhibit 15A. E-mail with Draft Lease	2/2/15

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S16		Y	E-mail re: T-5 Foss Use Description	2/3/15
S17-17 A			<i>Not offered for admission</i>	
S17 B	Intevenor (Soundkeeper)	Y	Complete Exhibit 17A. E-mail with Foss T-5 Term Lease	2/3/15
S18-S18A			<i>Not offered for admission</i>	
S19	Intevenor (Soundkeeper)	Y	SEPA Exemption for Lease at T-5	2/5/15
S20	Intevenor (Soundkeeper)	Y	T5 Interim Use Consistency	1/14/15
S21	Intevenor (Soundkeeper)	Y	Interim Use Analysis	1/6/15
S22	Intevenor (Soundkeeper)	Y	Shell PowerPoint Presentation at Meeting with Port	8/27/14
S23	Intevenor (Soundkeeper)	Y	Container Terminal Development Plan Excerpts	10/1991
S24	Intevenor (Soundkeeper)	Y	Notice of Availability of FEIS, Southwest Harbor Cleanup	11/25/94
S25	Intevenor (Soundkeeper)	Y	Joint Federal-State FEIS Southwest Harbor Cleanup	11/1994
S26	Intevenor (Soundkeeper)	Y	FEIS Southwest Harbor Cleanup	11/1994
S27			<i>Not offered for admission</i>	
S28	Intevenor (Soundkeeper)	Y	E-mail re: Interim Revenue from T-5	2/9/15
S29	Intevenor (Soundkeeper)	Y	E-mail re: T-5 Use	1/26/15
S30-S39			<i>Not offered for admission</i>	
S40	Intevenor (Soundkeeper)	Y	Foss Objections and Responses to DPD Request for Production	8/10/15
S46	Intevenor (Soundkeeper)	Y	Excerpts from Shell Revised outer Continental Shelf Lease Exploration Plan	3/2015
S47	Intevenor (Soundkeeper)	Y	Excerpts from Shell Regional Exploration Oil Spill Response Plan	3/2015

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