

Description	<p>Minutes Tuesday August 16, 2016 W-16-003 Citizens for Livability in Ballard Seattle Comp Plan Update Draft EIS and Final EIS</p> <p>Time: 9:00 AM Examiner: Anne Watanabe Assistant: Tiffany Ku</p> <p>Party Representatives:</p> <p>Kirk Robbins, Joseph Wert, Steve Cohn, for Appellant Citizens for Livability for Ballard</p> <p>James E. Haney and Zachary Lell, for Department OPCD Ogden Murphy Wallace, PLLC 901 Fifth Ave, Suite 3500 Seattle, WA 98104</p>		
Date	8/16/2016	Location	Large Hearing Room
Time	Speaker	Note	
9:00:18 AM		Examiner opens hearing.	
9:01:34 AM		Parties are introduced.	
9:05:55 AM		Preliminary matters are discussed.	
9:12:39 AM		Stipulate to admit all Department Exhibits.	
9:14:27 AM		Department Exhibits 1-54 are admitted.	
9:16:24 AM		Parties opening statements.	
9:25:41 AM		James Haney for Department begins opening statement.	
9:32:51 AM		Haney concludes.	
9:32:55 AM		Steve Cohn for Appellants, is sworn in and begins testimony.	
9:33:26 AM		Objection by Haney regarding testimony.	
9:34:14 AM		Objection overruled.	
9:34:36 AM		Cohn continues.	
9:43:00 AM		Objection by Lell, outside scope of appeal.	
9:43:26 AM		Objection sustained.	

9:53:54 AM		Cohn concludes testimony.
9:54:14 AM		Objection by Lell regarding style.
9:55:05 AM		Cohn responds.
9:56:23 AM		Objection sustained.
9:56:54 AM		Haney begins cross examination of Cohn.
9:59:23 AM		Haney concludes.
10:01:16 AM		Appellants call David Graves of Parks and Recreation as witness and he is sworn in.
10:01:34 AM		Joseph Wert for Appellants begins direct examination of Graves.
10:06:31 AM		Wert concludes. Cohn begins direct examination of Graves.
10:09:48 AM		Cohn concludes. Haney provides clarification.
10:11:16 AM		Cohn calls Gordon Clowers, SDCI as witness and he is sworn in.
10:12:00 AM		Cohn begins direct examination of Clowers.
10:18:39 AM		Objection by Haney, outside scope of appeal.
10:20:39 AM		Objection overruled with constraints. Examiner explains.
10:21:03 AM		Cohn continues.
10:21:30 AM		Haney asks for clarification from Examiner.
10:22:33 AM		Objection sustained.
10:23:24 AM		Cohn concludes. Kirk Robbins for Appellants asks question of Clowers.
10:24:56 AM		Lell begins redirect/cross examination of Clowers.
10:29:19 AM		Lell concludes. Haney asks question of Clowers.
10:32:27 AM		Haney concludes.
10:32:36 AM		15 minute break.
10:48:25 AM		Back on the record. Appellants calls John Shaw, SDCI as witness and he is sworn in.
10:48:50 AM		Kirk Robbins begins direct examination of Shaw.
10:54:38 AM		Robbins concludes.
10:54:57 AM		Appellants call Kevin O'Neil, SDOT and is sworn in.
10:55:40 AM		Cohn begins direct examination of O'Neil.
11:17:31 AM		Cohn concludes. Robbins asks question of O'Neil.
11:18:32 AM		Objection by Haney, outside scope of appeal.

11:21:27 AM		Robbins concludes.
11:21:57 AM		Haney begins cross examination of O'Neil.
11:29:46 AM		Haney concludes.
11:29:55 AM		Cohn on redirect of O'Neil.
11:31:56 AM		Cohn concludes.
11:32:24 AM		Appellants call Tom Hauger, OPCD as witness and he is sworn in.
11:32:54 AM		Cohn begins direct examination of Hauger.
11:46:26 AM		Cohn concludes.
11:46:29 AM		Lell begins cross examination of Hauger.
11:50:43 AM		Lell concludes.
11:50:54 AM		Lunch break return at 1:15 PM.
1:15:08 PM		Back on the record. Deborah Munkberg is sworn in.
1:15:31 PM		Cohn begins direct examination of Munkberg.
1:29:54 PM		Cohn concludes. Lell on cross examination of Munkberg.
1:32:01 PM		Haney asks question of Munkberg.
1:33:19 PM		Cohn on redirect.
1:37:17 PM		Cohn concludes.
1:37:40 PM		Chris Breiland is sworn in. Cohn begins direct examination of Breiland.
1:49:49 PM		Cohn concludes. Robbins asks question of Breiland.
1:51:49 PM		Haney Motion to Dismiss appeal, appellants have not provided evidence to meet burden of proof.
1:53:03 PM		Cohn responds to Haney.
1:54:47 PM		Examiner will deny Motion to Dismiss on basis of not having to review the FEIS.
1:57:40 PM		Department presentation. Lell calls Tom Hauger as witness.
1:58:11 PM		Lell begins direct examination of Hauger.
2:29:29 PM		Lell concludes. Haley begins direct examination of Hauger.
2:38:17 PM		Haney concludes. Robbins on redirect.
2:40:54 PM		Cohn asks question.
2:43:28 PM		Cohn concludes.

2:43:38 PM		Lell on redirect
2:44:52 PM		Lell concludes.
2:45:00 PM		15 minute break.
3:00:08 PM		Back on the record. Lell calls Gordon Clowers as witness and begins direct examination.
3:45:02 PM		Lell concludes.
3:46:16 PM		Cohn begins cross examination of Clowers.
3:54:20 PM		Robbins begins cross examination of Clowers.
3:57:40 PM		Lell objects, beyond scope of direct.
3:59:30 PM		Robbins concludes. Lell on redirect.
4:00:10 PM		Lell concludes.
4:00:54 PM		Lell calls Richard Weinman as witness and he is sworn in. Lell begins direct examination.
4:18:35 PM		Lell concludes.
4:18:45 PM		Robbins asks question of Weinman.
4:19:10 PM		Department's presentation will continue 8/17/16.
4:20:48 PM		Administrative topics are discussed.
4:22:50 PM		Hearing is adjourned.