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BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the Matter of the Appeal of
THE BALLARD COALITION
Of adequacy of the FEIS issued by the
Director, Seattle Department of
Transportation

Hearing Examiner File: **W-17-004**

**PETITIONERS' FIRST SET OF
INTERROGATORIES AND REQUESTS
FOR PRODUCTION TO
RESPONDENTS THE CITY OF
SEATTLE AND THE SEATTLE
DEPARTMENT OF
TRANSPORTATION**

AND THE CITY'S RESPONSES

TO: CITY OF SEATTLE and the SEATTLE DEPARTMENT OF
TRANSPORTATION

AND TO: ERIN FERGUSON
ASSISTANT CITY ATTORNEY
SEATTLE CITY ATTORNEY'S OFFICE
701 5TH AVE. SUITE 2000
SEATTLE, WA 98104
ERIN.FERGUSON@SEATTLE.GOV

Pursuant to HER 3.11, CR and KCLR 26 and 33, and CR 34, please answer the following
interrogatories and requests for production, (collectively, "Discovery Requests"), separately and
fully, under oath, within thirty (30) days after the date of service of these Discovery Requests, by
serving the answers, documents, and other responses upon Veris Law Group PLLC, 1809 Seventh
Avenue, Suite 1400, Seattle, Washington 98101, the attorneys for the Ballard Coalition.

PETITIONERS' FIRST SET OF
INTERROGATORIES AND REQUESTS FOR
PRODUCTION ISSUED TO RESPONDENT THE 1
CITY OF SEATTLE AND SDOT
AND THE CITY'S RESPONSE

PLLC

Veris Law Group

1809 Seventh Avenue, Suite 1400
Seattle, Washington 98101
tel 206.829.9590 fax 206.829.9245

1 **I. INSTRUCTIONS AND DEFINITIONS**

2 A. The answer to each Discovery Request shall include such knowledge as is within
3 your custody, possession, or control, including but not limited to, knowledge and documents in
4 your custody, possession, or control, or that of associated or related organizations, or those under
5 common control of your consultants, accountants, attorneys, and other agents. When facts set forth
6 in answers or portions thereof are supplied upon information and belief rather than actual
7 knowledge, you shall so state, and specifically describe or identify the source or sources of such
8 information and belief. Should you be unable to answer any Discovery Request or portion thereof
9 by either actual knowledge or upon information and belief, you should describe your efforts to
10 obtain such information.
11

12 B. In response to each Discovery Request, if you do not answer the Discovery Request
13 in whole or in part because you are unable to do so or otherwise, identify each person whom you
14 believe has information regarding the subject of such Discovery Request.
15

16 C. These Discovery Requests shall be deemed to be continuing, and any additional
17 information relating in any way to these Discovery Requests which you acquire subsequent to the
18 date of answering these Discovery Requests, and up to and including the time of trial, shall be
19 furnished to the Ballard Coalition promptly after such information is acquired, as supplemental
20 answers to these Discovery Requests.
21

22 D. For the purpose of these Discovery Requests:

23 1. The term “*document*” shall mean any book, map, drawing, plan set, survey,
24 engineering drawing or diagram, pamphlet, periodical, letter, report, memorandum, notation, list,
25 message, telegram, cable, email, facsimile, record, study, working paper, chart, graph, photograph,

1 film, index, tape, correspondence, spreadsheet, transcriptions or taping of telephone or personal
2 conversations or conferences, and any and all other written, printed, typed, punched, taped, filmed,
3 or graphic matter, or tangible thing, however produced or reproduced, whether in paper or
4 electronic form. The term “document” shall include any amendments to the requested document.
5 Documents shall be produced in their native format, with all metadata intact.
6

7 2. The term “*identify*” or “*identification*” when used in reference to an
8 individual person shall mean to state the person’s full name, present or last known home and
9 business address, occupation, employer, relationship to any party, and home and business
10 telephone numbers.

11 3. The term “*identify*” or “*identification*” when used in reference to a
12 corporation or other entity shall mean to state the corporation or entity’s full name, present or last
13 known address, relationship to any party, individual point of contact at that corporation or entity,
14 and telephone numbers.

15 4. The term “*identify*” or “*identification*” when used in reference to a
16 document means to state the date and author(s), signer(s), intended recipient(s), and its present or
17 last known location or custodian. If any such document was, but is no longer, in your possession
18 or subject to your control, state what disposition was made of it, and the reason for such disposition.
19

20 5. The term “*identify*” or “*identification*” when used in reference to an oral
21 communication shall mean to state the names, addresses, and telephone numbers of the persons
22 engaged in such communication, the times and places when and where such communication took
23 place, the medium of the communication, and the substance of each such communication.
24
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1 6. The term “*identify*” or “*identification*” when used in reference to an event
2 or transaction shall mean to state the names, addresses, and telephone numbers of the persons
3 involved, the dates on which such events or transactions took place, and the full description of the
4 substance of such events or transactions.

5 7. The term “*identify*” or “*identification*” when used in reference to a date shall
6 mean to state the calendar day or days on which the event referred to occurs.

7 8. The term “*identify*” or “*identification*” when used in reference to real
8 property shall mean to state the address and tax parcel identification number of the real property.

9 9. The term “*identify*” or “*identification*” when used in reference to any other
10 matter in these Discovery Requests shall mean to state all information and data regarding the
11 description and substance of the matter involved, up to and including the limits of reasonableness
12 and relevance as provided by law.

13 10. The term “*communication*” means any conversation, meeting,
14 correspondence, conference, electronic mail, and any other means or manner by which information
15 or opinion is or was communicated to or received from others, whether written or oral.

16 11. The term “*person*” means any individual, corporation, company,
17 partnership, association, joint venture, commercial entity, governmental entity, municipality, firm,
18 commission, or agency.

19 12. The term “*you*” shall mean the City of Seattle, its executive the Mayor, and
20 its agencies, including but not limited to, the Department of Transportation (“SDOT”).

21 13. The terms “*and*” and “*or*” shall be understood in both the conjunctive and
22 disjunctive sense, synonymous with “and/or.”

1 14. The terms “*any*” and “*all*” shall be understood in their most inclusive sense,
2 synonymous with “any or all.”

3 15. The term “*FEIS*” shall mean the Final Environmental Impact Statement,
4 Burke-Gilman Trail Missing Link Project, issued by the Seattle Department of Transportation
5 (SDOT) on May 25, 2017.

6 16. The term “*DEIS*” shall mean the Draft Environmental Impact Statement,
7 Burke-Gilman Trail Missing Link Project, issued by SDOT on or about June 16, 2016.

8 17. The term “*Missing Link*” shall mean the Burke-Gilman Trail Missing Link
9 Project, defined by SDOT in the FEIS.

10 18. The term “*New Segment*” shall mean that portion of the Preferred
11 Alternative (defined in the FEIS) located between the Shilshole South Alternative (defined in the
12 FEIS) and NW Market Street in Ballard.

13 19. The term “*Environmental Impacts*” shall mean and be synonymous with
14 “impacts” as that term is defined in the State Environmental Policy Act (“SEPA”), Chapter 43.21C
15 RCW and WAC 197-11-700.

16 20. The term “*Significant Environmental Impacts*” shall have the meaning
17 defined in WAC 197-11-794.

18 E. In answering these Discovery Requests, furnish all information and documents
19 available to you, including information and documents that are in the possession of your agents,
20 representatives, attorneys or former attorneys, or are otherwise within your possession, custody,
21 or control.
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1 F. If you object to any part of a Discovery Request, respond to all parts of such
2 Discovery Request to which you do not object, and as to each part to which you do object, set forth
3 the basis for each objection. For each document you assert to be privileged or otherwise excludable
4 from production, provide the following information: the author(s), the recipient(s), the date, the
5 type of document (e.g., memorandum, letter, chart, etc.), a general description of the document,
6 the privilege being claimed, and the grounds for the privilege claim.
7

8 G. If any Discovery request seeks documents formerly in your possession, custody, or
9 control that have been discarded, misplaced, lost, destroyed, or otherwise placed outside your
10 custody or control, identify the document and describe its contents in detail and state when the
11 document was discarded, misplaced, lost, destroyed, or otherwise placed outside your custody or
12 control. If the document was destroyed, identify each person with knowledge of its destruction,
13 each person requesting or performing the destruction, the reasons for its destruction, and each
14 document that refers or relates to either the existence of or destruction of the document. For each
15 document that was discarded, misplaced, lost, or otherwise placed outside your custody or control,
16 explain all circumstances in relation to the loss of the document and identify each person with
17 knowledge regarding those circumstances.
18

19 H. The singular shall include the plural and vice versa and the conjunctive shall include
20 the disjunctive and vice versa. References to the masculine, feminine, or neuter gender shall
21 include the neuter, feminine and masculine genders, as the context requires.
22

23 II. DISCOVERY REQUESTS

24 GENERAL OBJECTIONS

25 Respondent City of Seattle and the Seattle Department of Transportation

1 (hereinafter, the City) submits the following general objections to Petitioners' First Set of
2 Interrogatories and Requests for Production. All references to "requests" in these
3 General Objections include all of Petitioners' numbered interrogatories and requests for
4 production of documents, and all definitions, instructions and other statements
5 contained therein.

6 The City incorporates these General Objections into each of the responses set forth
7 below, which answers and responses are made without waiver of any of these General
8 Objections. In some instances, the City has provided answers or produced documents
9 that may be covered by an objection or objections set forth herein. Such answers and
10 production do not constitute and are not intended to constitute any waiver of the City's
11 objections or an enlargement of the scope of discovery.

- 12 1. The City objects to all instructions, definitions, interrogatories and requests for
13 production to the extent they enlarge upon, supersede, or modify the rules of
14 discovery set forth in Hearing Examiner Rule 3.11, CR 26 or CR 33, including,
15 without limitation, the obligation to supplement responses.
- 16 2. The City objects to the extent any request lacks definitions or terms, is vague or
17 ambiguous, requires the City to speculate as to its meaning, or leads to
18 inaccurate or incomplete responses. With respect to each request, the City has
19 made reasonable efforts to respond, as the City understands and interprets each
20 request. If Petitioner subsequently asserts an interpretation of any request which
21 differs from that of the City, the City reserves the right to supplement any
22 objection, and/or amend any response.
- 23 3. The answers and responses set forth below represent the City's present
24 knowledge, based on discovery, investigation and trial preparation to date.
25 Discovery, investigation and trial preparation are continuing. The City expressly
reserves the right to rely at hearing upon any further information adduced upon
completion of discovery, investigation and hearing preparation. Discovery in this
matter is continuing and the City reserves the right to change or supplement
these responses as new information is discovered.
4. The City objects to providing home addresses and telephone numbers for its
employees and consultants. This information is unnecessary and neither
relevant to any claim or defense in this case, nor reasonably calculated to lead to
the discovery of admissible evidence. Work addresses and telephone numbers
are provided for each person listed below. Additionally, each person listed may
be contacted through the City's counsel.
5. The City objects to the requests to the extent that they would require disclosure of
any information subject to a claim of privilege, immunity or work product, including
but not limited to attorney-client privilege and attorney work product.

- 1 6. The City objects to the interrogatories to the extent they are not formulated or
2 directed toward obtaining facts and effectively demand that the City provide legal
3 briefing before discovery and prehearing preparation have been completed.
4 Additionally, the City objects to the extent that the requests ask the City to
5 describe in detail the evidence the City will rely upon to prove any fact or facts.
6 A propounding party cannot use discovery as a means to have opposing parties
7 “put on a dress rehearsal of the trial. While it is proper to elicit information as to
8 evidentiary facts as contrasted with ultimate facts, nevertheless it is improper to
9 ask a party to state evidence upon which he intends to rely to prove any fact or
10 facts.” *Weber v. Biddle*, 72 Wn.2d 22, 29, 431 P.2d 705, 710–11 (1967)
- 11 7. The City objects to the requests because they are unduly burdensome,
12 duplicative, and unnecessary under the circumstances of the appeal. The
13 requests exceed the scope of discovery authorized by the Hearing Examiner’s
14 rules of procedure.
- 15 8. The City objects to each request to the extent it seeks information or documents
16 that Appellant or its counsel already possesses or are equally available to all
17 parties on the grounds that the interrogatory or request is unnecessary,
18 duplicative, unduly burdensome, or oppressive.
- 19 9. The City reserves its right to supplement its answers, responses and objections at
20 a later date as allowed by the Hearing Examiner rules and civil rules.

21 Subject to these General Objections, the City responds to Petitioner’s First Set of
22 Interrogatories and Requests for Production as follows

23 **A. INTERROGATORIES**

24 **INTERROGATORY NO. 1:** Identify each person who contributed to, evaluated,
25 or assisted with preparing your Responses to this first set of Discovery Requests and for each
26 person:

27 a) Identify the person; and

28 b) For each person, identify which Response they contributed to, evaluated or assisted with;

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c) For each such Response identify with specificity what each person did to contribute, evaluate or assist with preparing each and every such Response.

RESPONSE:

The following list of people reviewed the interrogatories and requests for production, assisted in the drafting and reviewing of answers to the interrogatories, as well as searching for, identifying, reviewing, and producing responsive documents in each of their respective areas of expertise.

Please note: Throughout this document, the address and phone number for each person associated with the following entities are as follows:

SDOT
PO Box 34996
Seattle, WA 98124-4996
206-684-7623.

ESA
5309 Shilshole Ave NW, Suite 200
Seattle, WA 98107
206-789-9658

Parametrix
719 2nd Avenue, Suite 200
Seattle, WA 98104
206-394-3700

Person	Interrogs.	RFPs
Erin Ferguson, Assistant City Attorney, Seattle City Attorney's Office 701 5 th Ave. Suite 2050 Seattle, WA 98104-7097 206-684-8615	<i>passim</i>	<i>passim</i>
Laurie Menzel, Paralegal, City Attorney's Office 701 5 th Ave. Suite 2050 Seattle, WA 98104-7097 206-684-0290	<i>passim</i>	<i>passim</i>

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Tadas Kisielius, Dale Johnson, and Clara Park, Van Ness Feldman, PLLC Millennium Tower 719 Second Avenue Suite 1150 Seattle, WA 98104 206-623-9372	<i>passim</i>	<i>passim</i>
Mark Mazzola, Environmental Manager, SDOT	<i>passim</i>	<i>passim</i>
Louisa Galassini, Project Manager, SDOT	10	27
Peter Trinh, Multimodal Transportation Engineer, SDOT	6	6
Lisa Adolfson, Senior Project Manager, ESA	2, 3, 12, 13, 16	2,3, 11, 12, 15, 19, 20, 21, 22, 28, 29
Mark Johnson, ESA	12,16	29
Molly Adolfson, ESA	12	
Erinn Eligg, Transportation Planner, Parametrix	6, 7, 8, 9, 10, 11, 14, 15, 17,19,	6, 7, 8, 9, 11, 13, 14, 16, 18, 20, 21, 22, 23, 29
Ryan LeProwse, Senior Transportation Engineer, Parametrix	19	29
Fred Young, Principal, Alta 1402 Third Avenue, Suite 206 Seattle, WA 98101 206-735-7466	2, 3	2, 3
Morgan Shook, Director, ECONorthwest 1281 Third Avenue, Suite 1709 Seattle, WA 98101 206-388-0079	2, 3, 16	29, 15
Lynne Falk, User Experience Designer & Information Designer, Wayworks, LLC	2, 3	2, 3

1	Chris Hoffman, Stepherson & Associates 2815 2nd Ave #555 Seattle, WA 98168 206-321-4205		
2		2,3	2, 3
3			
4	Cos Roberts, Owner/President, UrbanTech Systems 200 West Mercer Street Suite E412 Seattle, WA 98119 206-658-2990		
5		2,3	2, 3
6			
7	Sharron Boswell, SWCA, Inc. 221 1st Ave W, Seattle, WA 98119 206-781-1909		
8		2, 3, 13	2, 3, 12
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12 **INTERROGATORY NO. 2:** For the Draft EIS, identify each person not already listed in
13 the DEIS who, between January 1, 2013 and June 16, 2016:

- 14 a) Contributed to, evaluated, or assisted with screening, defining, creating and drafting the
15 Project Objective as stated in Section 1.2 of the DEIS; and
16

17	Name	Role/contribution
18	Dongho Chang (SDOT)	Discussed in meetings; reviewed drafts
19	Peter Drakos (formerly SDOT)	Discussed in meetings, reviewed drafts
20	Monica Dewald (SDOT)	Discussed in meetings, reviewed drafts
21	Steve Durrant (Alta)	Attended meeting when this topic was discussed. Not a primary author, provided verbal comments during meeting regarding types of facilities
22	Fred Young (Alta)	Attended meeting when this topic was discussed. Not a primary author, provided verbal comments during meeting regarding types of facilities
23	Sarah Bindman (formerly Parametrix)	Reviewed/contributed to drafts
24	John Perlic (Parametrix)	Reviewed/contributed to drafts
25	Jenny Bailey (Parametrix)	Reviewed/contributed to drafts
	Brad Phillips (Parametrix)	Reviewed/contributed to drafts

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b) Contributed to, evaluated, assisted with, organized, hosted, directed, lead, facilitated, or participated in the charrette-styled workshop held in March 2015 as disclosed on page 1-4 of the DEIS; and

Name	Role/contribution
Jonathan Kemp (ESA)	Technical data, geospatial mapping, google earth
Brad Phillips (Parametrix)	Participated/evaluated route segments in meeting
John Perlic (Parametrix)	Participated/evaluated route segments in meeting
Steve Durrant (Alta)	Attended meeting to narrow alternatives; provided verbal comments during meeting regarding alignment alternatives; diagrammed logical segment groupings
Peter Drakos (formerly SDOT)	Participated/evaluated route segments in meeting
Dongho Chang (SDOT)	Participated/evaluated route segments in meeting
Monica Dewald (SDOT)	Participated/evaluated route segments in meeting

c) Contributed to, evaluated, or assisted in making the decision to exclude “Protected Bicycle Lanes” as an “Alternative Considered but Not Included” in the DEIS as stated on page 1-28; and

OBJECTION: The City objects to the characterization of the City’s actions in Interrogatory 2(c). There was never a decision to “exclude “Protected bike lanes” as an “Alternative Considered but not included in the DEIS.” The DEIS at 1-28 provides: “A number of different facility types were initially considered by SDOT, but were removed from further consideration because they did not fully meet the project objective. The facility types described below would not maintain the same look and feel as the remainder of the BGT, nor would they provide an adequate level of comfort for users of varying abilities and activities. The facilities considered, along with the reasons for no further consideration, are described below.” Therefore, the City interprets this interrogatory to refer to the people who are not already listed in the DEIS, who contributed to, evaluated, or assisted in making the decision regarding which reasonable alternatives would be fully evaluated in the

1 DEIS. Without waiving any general or specific objection, those people not already
 2 listed who contributed to, evaluated, or assisted in making the decision regarding
 3 which reasonable alternatives would be fully evaluated in the DEIS include the
 4 following:

Name	Role/contribution
Dongho Chang (SDOT)	Discussed,
Lorelei Williams (SDOT)	Discussed
Scott Kubly (SDOT)	Received briefing, final decision-maker
Steve Durrant (Alta)	Attended meeting when this was discussed
	Provided verbal comments during meeting
Fred Young (Alta)	Attended meeting when this was discussed
	Provided verbal comments during meeting
Sarah Bindman (formerly	Developed preliminary Alternatives Analysis
Parametrix)	Memo
Brad Phillips (Parametrix)	Developed and reviewed preliminary
	Alternatives Analysis Memo
John Perlic (Parametrix)	Reviewed preliminary Alternatives Analysis
	Memo
Jenny Bailey (Parametrix)	Reviewed preliminary Alternatives Analysis
	Memo

13
 14 d) Contributed to or assisted with the evaluation or drafting of the discussion of
 15 Environmental Impacts of the Missing Link as stated in the DEIS; and

Name	Role/contribution
Jonathan Kemp (ESA)	Technical data, geospatial mapping
Brad Phillips (Parametrix)	Reviewed and contributed to Chapter 7,
	Transportation Discipline Report
John Perlic (Parametrix)	Reviewed Chapter 7, Chapter 8, Transportation
	Discipline Report, and Parking Discipline Report
Jenny Bailey (Parametrix)	Reviewed Transportation Discipline Report and
	Parking Discipline Report
Sarah Bindman (formerly	Developed Parking Discipline Report
Parametrix)	
Lizzie Gooding (ECONorthwest)	Geospatial mapping assistance and cartography
Kate Macfarlane (ECONorthwest)	Geospatial mapping assistance and cartography
Zeph Schafer (ECONorthwest)	Data collection for socio-economic analysis
Laura Knudson (ECONorthwest)	Copy edit of word products
Steve Durrant (Alta)	Attend meeting regarding quantifying non-
	motorized users in the district; non-motorized
	network methodology
Shannon Howard (UrbanTech)	Staff Engineer assisting Parametrix – in meeting
	(6/29/25) discussed 3 options and preliminary

	design criteria – assigned Ballard Design Option; AutoTurn assistance
Elizabeth Chamberlain (UrbanTech)	Staff engineer assisting Parametrix, CAD assistance, AutoTurn assistance
Christina Cisneros (UrbanTech)	Technical editing
Christine Alar (SDOT)	Reviewed transportation Report
Theresa Barreras (OED)	Reviewed economic Report
Dongho Chang (SDOT)	Reviewed transportation, economics, land use, and parking reports
Monica Dewald (SDOT)	Reviewed parking, transportation, and economics reports
Monty Dhaliwal (SDOT)	Reviewed transportation report
David Goldberg (FAS)	Reviewed economics and land use reports
Peter Trinh (SDOT)	Reviewed parking and transportation reports.
Jonathan Williams (SDOT)	Reviewed cultural resources, transportation, and economics reports
Christopher Yake (SDOT)	Reviewed transportation and land use reports.

e) Contributed to or assisted with the evaluation or drafting of the discussion of “safety” in the DEIS; and

Name	Role/contribution
Brad Phillips (Parametrix)	Reviewed Transportation Discipline Report
John Perlic (Parametrix)	Reviewed Transportation Discipline Report
Jenny Bailey (Parametrix)	Reviewed Transportation Discipline Report
Steve Durrant (Alta)	Meeting participation
Dongho Chang (SDOT)	Reviewed Transportation Discipline Report
Peter Trinh (SDOT)	Reviewed Transportation Discipline Report
Monica Dewald (SDOT)	Reviewed Transportation Discipline Report
Christine Alar (SDOT)	Reviewed Transportation Discipline Report
Monty Dhaliwal (SDOT)	Reviewed Transportation Discipline Report
Chris Eaves (SDOT)	Reviewed Transportation Discipline Report
Christopher Yake (SDOT)	Reviewed Transportation Discipline Report

f) For each person so identified, describe with specificity what each person did regarding your Responses above.

See above.

INTERROGATORY NO. 3: For the FEIS, identify each person who, between June 16,

2016 to May 25, 2017:

1 a) Contributed to, evaluated, or assisted with screening, defining, creating and drafting the
 2 Project Objective as stated in Section 1.2 of the FEIS; and

Name	Role/contribution
Mark Mazzola (SDOT)	Discussed in meetings, reviewed write ups
Dongho Chang (SDOT)	Reviewed draft FEIS
Jill Macik (SDOT)	Discussed in meetings, reviewed write ups
Art Brochet (formerly SDOT)	Discussed in meetings, reviewed write ups
Monica Dewald (SDOT)	Reviewed draft FEIS
Steve Durrant (Alta)	Attended meeting when this topic was discussed. Provided verbal comments during meeting regarding types of facilities
Fred Young (Alta)	Attended meeting when this topic was discussed. Provided verbal comments during meeting regarding types of facilities
Mark Johnson (ESA)	Drafting and review of section, meeting discussions.
Lisa Adolfson (ESA)	Drafting and review of section, meeting discussions.
Molly Adolfson (ESA)	Reviewed Section 1.2 of the FEIS
Erinn Ellig (Walter; Parametrix)	Reviewed Section 1.2 of the FEIS
Ryan LeProwse (Parametrix)	Reviewed Section 1.2 of the FEIS
Brian Macik (formerly Parametrix)	Reviewed Section 1.2 of the FEIS
John Perlic (Parametrix)	Reviewed Section 1.2 of the FEIS
Brad Phillips (Parametrix)	Reviewed Section 1.2 of the FEIS

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 16 b) Contributed to, evaluated, assisted with, organized, hosted, directed, lead, facilitated, or
 17 participated in any meetings, workshops or other gatherings where you “developed an
 18 additional Build Alternative, identified as the Preferred Alternative...” as stated on page
 19 1-5 of the FEIS; and

Name	Role/contribution
Erinn Ellig (Walter; Parametrix)	Participated in meetings to review all of the alternatives, provided analysis of traffic volumes and driveway operations
Ryan LeProwse (Parametrix)	Participated in meetings to review all of the alternatives, provided analysis of parking impacts
Brad Phillips (Parametrix)	Participated in meetings to review all of the alternatives, reviewed and contributed to the design of all alternatives

1	Amanda Thom (Parametrix)	Developed and contributed to the design of all alternatives
2	Steve Durrant (Alta)	Attended meetings focused on identifying the final alignment; contributed to discussion about tradeoffs for the various alternatives; developed graphics to aid discussions about the various alternatives
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5	Fred Young (Alta)	Attended meetings focused on identifying the final alignment; contributed to discussion about tradeoffs for the various alternatives; developed graphics to aid discussions about the various alternatives
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7	Victoria Kovacs (Alta)	Developed graphics as directed
8	Katie O'Lone (Alta)	Developed graphics as directed
9	Mark Johnson (ESA)	Meeting attendance and discussion
10	Lisa Adolfsen (ESA)	Meeting attendance and discussion
11	Claire Hoffman (ESA)	Meeting attendance and discussion
12	Jonathan Kemp (ESA)	Technical data, GIS work, google earth
13	Anna Nakae (ESA)	Technical data, GIS work, google earth
14	Kiersten Grove (Mayor's Office)	Meeting attendance and discussion
15	Scott Kubly (SDOT)	Meeting attendance and discussion
16	Lorelei Williams (SDOT)	Meeting attendance and discussion
17	Mark Bandy (SDOT)	Meeting attendance and discussion
18	Darby Watson (SDOT)	Meeting attendance and discussion
19	Dongho Chang (SDOT)	Meeting attendance and discussion
20	Matt Beaulieu (SDOT)	Meeting attendance and discussion
21	Chris Eaves (SDOT)	Meeting attendance and discussion
22	Art Brochet (SDOT)	Meeting attendance and discussion
23	Jill Macik (SDOT)	Meeting attendance and discussion
24	Ron Scharf (SDOT)	Meeting attendance and discussion
25	Mark Mazzola (SDOT)	Meeting attendance and discussion; organized and scheduled meetings, facilitated discussions
	Brian Surratt (OED)	Meeting attendance and discussion
	Pedro Gomez (OED)	Meeting attendance and discussion
	Pete Mills (DON)	Meeting attendance and discussion

c) Contributed to, evaluated, or assisted you in conducting “further evaluation of the merits of each alternative....and determin[ing] that the Shilshole South Alternative best meets the project objectives...” as stated in Section 1.4.2 of the FEIS on page 1-5; and

OBJECTION: The City objects to the characterization of the FEIS and the City’s actions included in Interrogatory 3(c). The request omits relevant portions of the quoted section of the FEIS. The City interprets this request to inquire about the people who contributed to, evaluated or assisted SDOT

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in the following: “further evaluation of the merits of each alternative, SDOT determined that the Shilshole South Alternative best meets the project objectives, but with some modifications to that route.”

See response to 3(b).

d) Contributed to, participated in, were part of, or assisted you in “discussions with transportation and trail experts, bicycle and trail advocacy groups, and representatives from Ballard maritime, industrial and commercial businesses about which alignments...would work best for trail users and businesses along the route” as stated in Section 1.4.2 of the FEIS on page 1-7, including, without limit, identify all transportation and trail experts, bicycle and trail advocacy groups, and representatives from Ballard maritime, industrial and commercial businesses; and

Name	Role/contribution
Kiersten Grove (Mayor’s Office)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Brian Surratt (OED)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Scott Kubly (SDOT)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Darby Watson (SDOT)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Mark Bandy (SDOT)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Dongho Chang (SDOT)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Mark Mazzola (SDOT)	Attended and participated in meetings discussing the design and tradeoffs between alternatives

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Jill Macik (SDOT)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Warren Aakervik (Ballard Oil)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Paul Nerdrum (Salmon Bay)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Eugene Wasserman (NSIA)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Sue Dills (Commercial Marine)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Blake Trask (Cascade)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Kelsey Mesher (Cascade)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Mark Durall (Olympic Athletic Club)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
James Riggle (Hotel Ballard)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Kevin Carrabine (Friends of the BGT)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Tom Bayley (Stimson Property)	Attended and participated in meetings discussing the design and tradeoffs between alternatives
Erin Ellig (Walter; Parametrix)	Conducted interviews with businesses about driveway operations and usage
Brian Macik (formerly Parametrix)	Conducted interviews with businesses about driveway operations and usage
Brad Phillips (Parametrix)	Participated in meetings to review all of the alternatives, reviewed and contributed to the design of all alternatives
Fred Young (Alta)	Attended meetings focused on identifying the final alignment; contributed to discussion about tradeoffs for the various alternatives from the perspective of the trail users
Steve Durrant (Alta)	Attended meetings focused on identifying the final alignment; contributed to discussion about tradeoffs for the various alternatives from the perspective of the trail users

1 e) Contributed to or assisted with the evaluation or drafting of the discussion of
 2 Environmental Impacts of the Missing Link as stated in the FEIS; and

Name	Role/contribution
Jonathan Kemp (ESA)	Technical data, geospatial mapping
Anna Nakae (ESA)	Technical data, geospatial mapping, google earth
Brad Phillips (Parametrix)	Reviewed and contributed to Chapter 7, Transportation Discipline Report
John Perlic (Parametrix)	Reviewed Chapter 7, Chapter 8, Transportation Discipline Report, and Parking Discipline Report
Peter Trinh (SDOT)	Review and commented on draft sections of Final EIS
Jonathan Williams (SDOT)	Review and commented on draft sections of Final EIS
Louisa Galassini (SDOT)	Review and commented on draft sections of Final EIS

11 f) Contributed to or assisted with the evaluation or drafting of the discussion of “safety” in
 12 the FEIS; and

Name	Role/contribution
Erinn Ellig (Walter)	Developed safety analysis in Transportation Discipline Report
Brad Phillips	Reviewed Transportation Discipline Report
Ryan LeProwse	Reviewed Transportation Discipline Report
John Perlic	Reviewed Transportation Discipline Report
Mark Johnson (ESA)	Meeting attendance and discussion
Lisa Adolfson (ESA)	Meeting attendance and discussion
Peter Trinh (SDOT)	Contributed to section on SDOT design process; reviewed Transportation Discipline Report
Erich Ellis (SDOT)	Contributed to section on SDOT design process
Mark Mazzola (SDOT)	Edited and incorporated into EIS section on SDOT design process; reviewed draft Final EIS and Transportation Discipline Report

22 g) For each person so identified, describe with specificity what each person did regarding
 23 your Responses above.

24 See above.

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RESPONSE:

See above.

INTERROGATORY NO. 4:

Identify all people who participated in, contributed to or advised you in “[u]ltimately deciding that the Preferred Alternative...best meets the project objectives, but with some modifications to that route” as stated in Section 1.4.2 of the FEIS on page 1-7 and, for each such person identify with specificity what he or she did to so advise you, and identify all documents you relied upon in making that decision, and identify the “modifications to that route” and the basis for such modifications.

RESPONSE:

OBJECTION: The City objects to the characterization of the FEIS and SDOT’s actions included in interrogatory No. 4 because it does not include the complete sentence from Section 1.4.2 of the Final EIS. The Final EIS states that "Upon further evaluation of the merits of each alternative, SDOT determined that the Shilshole South Alternative best meets the project objectives, but with some modifications to that route." The “modifications” were to the Shilshole South Alternative, not the Preferred Alternative as indicated by the quote in the Interrogatory. The City interprets this request to inquire about the full text in the FEIS.

OBJECTION: The City also objects to Ballard Coalition’s request that the City identify all documents relied upon as unduly burdensome and unnecessary under the circumstances of the appeal. Identifying the “date and author(s), signer(s), intended recipient(s), and its present or last known location or custodian” is unnecessary because the City is producing the documents and the information sought is recognizable based on subject matter.

Without waiving any specific or general objection, the "modifications to that route" include moving the western third of the trail to NW Market St. and shifting the alignment along Shilshole Ave NW and NW 45th St to be farther from property lines.

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Please see the responses to Interrogatory 3 above, which list the people involved in discussions over the alternative and their respective roles.

The basis of the modifications included data and analysis contained in the Draft EIS, public comments on the Draft EIS, data collected after publication of the Draft EIS, and discussions with the people listed in response to Interrogatory 3.

INTERROGATORY NO. 5: Identify each person who, between March 2015 to December 2015, contributed to, participated in, lead, facilitated, attended or assisted you in the “[s]everal workshops” held after March 2015 where you refined trail details and crossings as stated on page 1-4 of the FEIS, and for each such person identify with specificity their participation and contribution, and identify the documents you relied upon, used, reviewed or considered at the several workshops held after March 2015.

RESPONSE:

OBJECTION: The City objects to this interrogatory as unduly broad, duplicative, and unnecessary under the circumstances of this appeal.

Without waiving any objection, the following persons participated in the workshops referenced in the FEIS and those participants generally relied upon, used, reviewed, or considered City’s GIS, Google Maps/Google Earth, old Missing Link plan drawings, and iterative drafts of what ultimately became the conceptual designs for the four alternatives that we evaluated in the Draft EIS

Name	Role/contribution
Brad Phillips (Parametrix)	Worked on draft designs of alternatives, attended and participated in discussions
John Perlic (Parametrix)	Attended and participated in discussions
Fred Young (Alta)	Attended and participated in discussions
Steve Durrant (Alta)	Advised on design, attended and participated in discussions
Mark Johnson (ESA)	Advised on design, attended and participated in discussions

1	Lisa Adolfson (ESA)	Attended and participated in discussions
2	Ron Scharf (SDOT)	Advised on design, attended and participated in discussions
3	Dongho Chang (SDOT)	Advised on design, attended and participated in discussions
4	Peter Trinh (SDOT)	Advised on design, attended and participated in discussions
5	Monica Dewald (SDOT)	Advised on design, attended and participated in discussions
6	Art Brochet (SDOT)	Attended and participated in discussions
7	Mark Mazzola (SDOT)	Attended and participated in discussions
8	Peter Drakos (SDOT)	Attended and participated in discussions

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11 **INTERROGATORY NO. 6:** Identify the level of design (i.e., 0%, 10%, 20%,
12 30%, etc.) of:

- 13 a) Each alternative route discussed, reviewed and analyzed in the DEIS; and
14 b) Each alternative route, including, without limit, the Preferred Alternative, discussed,
15 reviewed and analyzed in the FEIS; and
16 c) Identify all documents, including, without limit, plans, maps and drawings, upon which
17 you relied and that show the level of design for each alternative route and the Preferred
18 Alternative as stated in your Responses above.

19
20 **RESPONSE:**

21 **OBJECTION:** The City objects to the characterization of the question. As
22 explained in the City's response to Appellant's dispositive motion, the level
23 of design as expressed in percent complete (10%, 20% 30%, etc.) is a
24 subjective description without a set definition that varies by project and by
25 project segment. The City objects to the extent that the question implies a
uniform standard that is universally applied and can be comparable to other
projects, other segments of this project, or earlier iterations of the Project.
The following response is based on the subjective determination of SDOT
staff and are approximations, not set determinations. The City also objects

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on the grounds that the interrogatory also asks for information that is not relevant or reasonably calculated to lead to relevant information.

Without waiving any general or specific objection, each alternative route in the DEIS and the FEIS was at an approximately 10% level of design. Some aspects or portions of the design may be designed at a slightly higher level based on particular circumstances or understanding of the design. The documents relied upon or showing the level of design for each alternative route are included in the CAD files for the project or the figures included in the DEIS and FEIS.

INTERROGATORY NO. 7: Identify how each alternative route discussed, reviewed and analyzed in the DEIS and each alternative route, including without limit, the Preferred Alternative, discussed, reviewed and analyzed in the FEIS is, as stated in Section 1.7.1 of the FEIS on page 1-3:

- a) Is based upon and complies with the “standards and guidelines” in and “consistently follows” SDOT’s Right of Way Improvements Manual; and
- b) Is based upon and complies with the “standards and guidelines” in and “consistently follows” the national guidelines developed by the American Association of State Highway and Transportation Officials (AASHTO); and
- c) Is based upon and complies with the “standards and guidelines” in and “consistently follows” the national guidelines developed by the National Association of City Transportation Officials (NACTO); and
- d) Is based upon and complies with the “standards and guidelines” in and “consistently follows” the national guidelines developed by the Federal Highway Administration (FHWA); and

1 e) Identify all documents that support your contention as stated in Section 1.7.1 of the
2 FEIS on page 1-3 that SDOT's design process for each alternative route discussed,
3 reviewed and analyzed in the DEIS and each alternative route, including without limit, the
4 Preferred Alternative, discussed, reviewed and analyzed in the FEIS complies with and
5 consistently follows standards and guidelines issued or adopted by SDOT, AASHTO,
6 NATCO or the FHWA.
7

8 **RESPONSE:**

9 **OBJECTION:** The City objects to the characterization of the questions in
10 Interrogatory 7, including the presumption regarding the legal weight and
11 applicability of the above-referenced design guidelines.

12 **OBJECTION:** The City also objects to Interrogatory no. 7 because the question
13 asks for a legal interpretation of compliance with guidelines that is premature.

14 Without waiving any specific or general objection, the current status of the design
15 is as shown on the 30% plans, which will be produced in response to the RFPs
16 below.

17 **INTERROGATORY NO. 8:** Identify what you did "in November and December
18 2016" to collect "additional intersection and driveway data" in the "study area" as stated on page
19 1-17 of the FEIS, including;

20 a) Identify each person who contributed to, participated in, managed, or collected
21 additional intersection and driveway data in the study area; and

Name	Role/contribution
Erinn Ellig (Walter; Parametrix)	Participated in meetings and discussions to determine which driveways and intersections would be studied further; conducted interviews with business/property owners, and managed data collection efforts with IDAX and internal team

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Ryan LeProwse (Parametrix)	Participated in meetings and discussions to determine which driveways and intersections would be studied further and reviewed data collection efforts
Brian Macik (formerly Parametrix)	Conducted interviews with business/property owners
Mark Mazzola (SDOT)	Participated in meetings and discussions to determine which driveways and intersections would be studied further; managed contract with IDAX to conduct study
Art Brochet (SDOT)	Participated in meetings and discussions to determine which driveways and intersections would be studied further
Jill Macik (SDOT)	Participated in meetings and discussions to determine which driveways and intersections would be studied further
Lisa Adolfson (SDOT)	Participated in meetings and discussions to determine which driveways and intersections would be studied further
Cameron Clark, IDAX	Managed data collection for IDAX, delivered data, set up data collection tools, reviewed and summarized data.
Mark Skaggs, IDAX	Managed data collection for IDAX
Ryder Wragg, Ballard Industrial	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
Bob Warner, Ballard Insulation	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
Dale Newton, Ballard Marine Service	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
Will Black, Ballard Mill Marina	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway

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Warren Aakervik, Ballard Oil	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
Dave Miller, Ballard Transfer	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
Bob Williams, Covich Williams	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
Dave Liebrich, Lieb Marine	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
Mike Hall, Magnum Self Storage	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
Kate Gill, Sagstad Marina	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
Paul Nerdrom, Salmon Bay Sand & Gravel	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
Michael Peck, Shilshole West Building	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway

1	Brett Snow, Snow & Company	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
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4	Tom Bayley, Stimson Marina	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
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7	Ron Hildebrandt, Trident Seafood	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
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10	Matt Wilson, Wilson Bros Automotive	Provided information on driveway characteristics as included in Appendix B of the Transportation Discipline Report, including information on when to collect traffic counts/classification/video data and what types of vehicles use driveway
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14 b) How you and each person identified above participated in, managed, or collected
15 additional intersection and driveway data in the study area; and

16 See Response to 8(a).

17
18 c) What collection tools, instruments, types of measurements, data, and equipment
19 you and each person identified collected additional intersection and driveway data in the
20 study area; and

21
22 **OBJECTION:** The City objects to Interrogatory 8(c) as vague and ambiguous.

23 Without waiving any specific or general objection, the City is interpreting the
24 question to read “What collection tools, instruments, types of measurements, data,
25 and equipment did you and each person identified as a person involved in
collecting additional intersection and driveway data use in collecting that data” and
responds as follows: Stationary video cameras, road tubes, Microsoft Office Suite,

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phones, vehicle classification (small, medium, large as described in the Transportation Discipline Report), vehicle volumes, pedestrian and bicycle volumes, video data of driveway operations, and interview notes.

d) Identify all documents, including raw data files, related in any way to your and each person identified above collection of additional intersection and driveway data in the study area.

OBJECTION: The City objects to Interrogatory 8(d) as overly broad and unduly burdensome. The City is producing the documents and Ballard Coalition may readily identify these documents by subject matter and date.

RESPONSE:

Without waiving any objection, the primary responsive material is the video collected by IDAX, which the City has produced on the external hard drive provided by Ballard Coalition. The remainder of the documents related to the collection of additional intersection and driveway data – spreadsheets with traffic volume and classification and interview notes in Microsoft Word – are being produced and the identifying characteristics requested by the interrogatory are readily identifiable based on the document, date and subject matter.

INTERROGATORY NO. 9: Identify what you did to complete an AutoTURN analysis to “determine if the design of the Build Alternatives would affect freight access to businesses in the study area” as stated on page 1-17 of the FEIS, including identifying the person or people who gathered the information and data used in the AutoTURN analysis, how they gathered that data and information, what data and information they gathered, how it was used, the number of driveways/businesses for which you completed an AutoTURN analysis, and identify

1 all documents, including raw data files, related in any way to the AutoTURN analyses identified
2 above.

3 **OBJECTION:** The City objects to Interrogatory 9 as overly broad and unduly
4 burdensome. The City is producing the documents and Ballard Coalition may
5 readily identify these documents by subject matter and date.

6
7 **RESPONSE:**

8 Without waiving any specific or general objection, the City responds as follows:
9 Amanda Thom and Brad Phillips, Parametrix, completed the AutoTURN analysis relied
10 upon in the Missing Link FEIS. Information used to complete the AutoTURN analysis was
11 gathered using CAD files, interviews with businesses, and traffic data collection (traffic
12 volume data, traffic classification data, and driveway video data, as identified in response
13 to Interrogatory No. 8). AASHTO standard vehicles use to complete the AutoTURN
14 analysis were included as part of the AutoTURN software package. The information
15 gathered was used to identify a representative vehicle type at driveways and to determine
16 appropriate widths for driveways. The documents and raw data files used to complete the
17 AutoTURN analysis is producing and include CAD files, traffic data, and interviews with
18 businesses, which Ballard Coalition can independently discern by their identifying
19 characteristics.

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22 **INTERROGATORY NO. 10:** List all of the intersections and driveways not already
23 listed in the FEIS for which SDOT conducted an AutoTURN analysis, regardless of whether that
24 analysis was finalized or used in the DEIS or FEIS.

25 **RESPONSE:**

OBJECTION: The City objects to Interrogatory 10 as overly broad and unduly
burdensome.

Without waiving any general or specific objection, the City responds as follows.

Please Note: This list may include intersections already identified in the DEIS or
FEIS, in addition to those that are not.

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- NW Market St & 28th Ave NW
- NW Market St & 26th Ave NW
- NW Market St & 24th Ave NW
- NW Market St & 22th Ave NW
- NW Market St & Shilshole Ave NW
- 24th Ave NW & NW 54th St
- Shilshole Ave NW & 24th Ave NW
- Shilshole Ave NW & 22nd Ave NW
- Shilshole Ave NW & 20th Ave NW
- Shilshole Ave NW & 17th Ave NW
- Shilshole Ave NW & NW 46th St
- Shilshole Ave NW & NW Vernon PI
- Shilshole Ave NW & NW Dock PI
- NW 46th St & 15th Ave NW
- NW 46th St & 14th Ave NW
- NW 46th St & 11th Ave NW
- NW 45th St & 11th Ave NW
- NW 56th St & 24th Ave NW
- NW 56th St & 22nd Ave NW
- Ballard Ave NW & 22nd Ave NW
- Ballard Ave NW & 20th Ave NW
- Ballard Ave NW & NW 48th ST
- Ballard Ave NW & 17th Ave NW
- Ballard Ave NW & 15th Ave NW
- Ballard Ave NW & 11th Ave NW
- Leary Ave NW & 20th Ave NW
- Leary Ave NW & NW Vernon PI
- Leary Ave NW & NW Lone PI
- Leary Ave NW & NW Dock PI
- Leary Ave NW & 17th Ave NW
- Leary Ave NW & 15th Ave NW
- Leary Ave NW & 14th Ave NW
- Leary Ave NW & 11th Ave NW
- Leary Ave NW & NW 48th St
- NW 48th St & 17th Ave NW
- NW Market & 54th St NW
- Shilshole Ave NW & NW 54th St

- 28th Ave W & NW 54th St
- NW 45th St & 14th Ave NW
- Shilshole Ave NW – Horizontal curves under Ballard Bridge

Driveways:

- Shilshole Ave NW & Parcel # 1125039027
- Shilshole Ave NW & Parcel # 0467000417
- Shilshole Ave NW & Parcel # 046700418
- Shilshole Ave NW & Parcel # 046700427
- Shilshole Ave NW & Parcel # 0467000421
- Shilshole Ave NW & Parcel # 0467000445
- Shilshole Ave NW & Parcel # 0467000335
- Leary Ave NW & Parcel # 2767702915
- Leary Ave NW & Parcel # 2767702955
- Leary Ave NW & Parcel # 2767703095
- Leary Ave NW & Parcel # 2767703190
- NW 54th and the Locks

INTERROGATORY NO. 11: Identify and describe with specificity what you did to “better compare and understand the differences among the alternatives as analyzed in the DEIS, and to inform development of the Preferred Alternative presented in the FEIS,” as stated in Section 1.8, page 1-27, including identify each person who aided or assisted you in doing so, what each person did, and how you and each such person examined driveways, intersections, sight line concerns, traffic/roadway changes, and nonmotorized considerations, and identify all documents you and each person relied upon in doing so.

RESPONSE:

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OBJECTION: The City objects to Interrogatory No. 11 as unduly burdensome, duplicative, unnecessary under the circumstances of the appeal, particularly because it is asking the City to repeat what is already published in the EIS.

OBJECTION: The City objects to Interrogatory No. 11 to the extent the question is not formulated or directed toward obtaining facts and effectively demands that the City provide legal briefing before discovery and prehearing preparation have been completed.

Without waiving any specific or general objection, The City responds as follows:

The FEIS speaks for itself and describes “with specificity” what SDOT did to “better compare and understand the differences among the alternatives as analyzed in the DEIS, and to inform development of the Preferred Alternative presented in the FEIS.” Without limiting that analysis or discussion in the document, and as more fully described in the EIS, the project team identified where potential traffic hazards could exist throughout the development of the trail alternatives and the EIS. Traffic hazards include those elements summarized in Table 1-1, namely where trail users may have potential conflicts with either motorized users or stationary objects, or areas—such as those locations with sight distance concerns—that may exacerbate potential conflict points. Traffic and roadway changes were identified by determining what sorts of intersection controls, intersection improvements, or roadway rechannelization would be necessary to accommodate a trail.

The potential traffic hazards and traffic/roadway changes for each alternative are summarized in Table 1-1. Where potential traffic hazards were identified, the people listed above evaluated whether the potential hazard could be removed or avoided and, if not, whether minimization or mitigation measures could be added to the trail design to reduce potential for conflicts. Where traffic and roadway changes were suggested, they evaluated those changes to determine the potential impacts to traffic mobility, parking, and land use. The results of these analyses are fully described in the EIS.

While the process and traffic hazards summarized in Section 1.8 helped inform the decision for the Preferred Alternative, SDOT considered other factors such as, but not limited to, impacts to traffic congestion and parking and distance of travel. Section 1.4.2 summarizes the process we went through to analyze and compare the various alternatives by geographic segment.

Documents relied upon include conceptual design plans/roll plots of the alternative designs, GIS data, Google Earth, knowledge of existing conditions from field visits, interview notes with businesses along the alignments, information, data, and analyses reported in the Draft EIS, along with data collected after the publication of the Draft EIS, such as collected from the additional driveway studies, and various design guidelines such as AASHTO and NACTO, as described in the FEIS.

1 See responses to interrogatory 3(b) and 3(d) above.

2 The following people contributed more specifically to the comparison and
3 understanding the differences among the alternatives analyzed in the DEIS
4 related to “driveways, intersections, sight line concerns, traffic/roadway changes,
5 and nonmotorized considerations”:

Name	Role/Contribution
Erinn Ellig (Walter; Parametrix)	Developed Table 1-1
Ryan LeProwse (Parametrix)	Developed Table 1-1
Brad Phillips (Parametrix)	Contributed to the development of Table
	1-1
Lisa Adolfson (ESA)	Participated in discussions and reviewed
	Table 1-1
Mark Johnson (ESA)	Participated in discussions and reviewed
	Table 1-1
Mark Mazzola (SDOT)	Participated in discussions and reviewed
	Table 1-1
Jill Macik (SDOT)	Attended meetings to discuss
Peter Trihn	Reviewed project plans and attended
	meetings

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15 **INTERROGATORY NO. 12:** Identify and describe with specificity the basis for the
16 statement in the FEIS in Chapter 4, page 4-22, that “the portion of the Preferred Alternative that
17 runs along Shilshole Ave NW could cause minor impacts to water-dependent and industrial
18 uses...” including identifying all documents, data, studies, interviews and other information that
19 supports and is the basis for this statement and identify all mitigation measures, if any, you propose
20 to ensure the Preferred Alternative will not cause significant adverse Environmental Impacts to
21 water-dependent and industrial uses in the study area.
22

23 **RESPONSE:**

24 **OBJECTION:** The City objects to Interrogatory No. 12 as unduly burdensome,
25 duplicative, unnecessary under the circumstances of the appeal, particularly
because it is asking the City to repeat what is already published in the EIS.

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OBJECTION: The City objects to the characterization of the question in Interrogatory 12, including the characterization of the City’s legal obligations pursuant to SEPA and its various permitting processes.

OBJECTION: The City objects to Interrogatory 12 because the question is not formulated or directed toward obtaining facts and effectively demands that the City provide legal briefing before discovery and prehearing preparation have been completed.

The full sentence that is quoted reads: “By increasing access delays for vehicles, the portion of the Preferred Alternative that runs along Shilshole Ave NW could cause minor impacts to water-dependent and industrial uses, which are priority uses in the BINMIC policies.”

Without waiving any specific or general objection, the City responds as follows:

The FEIS speaks for itself and describes “with specificity” the basis for the quoted statement in the FEIS in Chapter 4, page 4-22. Without limiting that analysis or discussion in the document, and as more fully described in Chapter 4 Land Use of the Final EIS, land uses are classified by the King County Assessor for property tax purposes. These include several categories for industrial uses that were consolidated into a single classification for purposes of this EIS. These were mapped along with other land uses using geographic information (GIS) software.

Water dependent uses are defined in the Shoreline Management section of the Land Use Code. Business names and locations were tabulated from King County Assessor’s data for all uses in the study area. Uses on parcels within 200 feet of the water’s edge and therefore expected to be in shoreline jurisdiction were classified as water-dependent, water-related, or non water- dependent or water-related, using business names and aerial photos. For some businesses where the nature of the business was not clear from these sources, the webpage for the business was reviewed to determine which of these categories the use best fit.

Policies reviewed indicated that water-dependent and industrial uses were to be given priority, and supporting policies discussed transportation concerns as among the issues that mattered most to these uses. The transportation analysis was reviewed for transportation impacts that could be expected for water dependent and industrial uses. That analysis found that there could be minor additional delays for businesses on the Shilshole portion of the preferred alternative; hence the conclusion that impacts would be minor. The determination of impact, as described

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in the Final EIS on pages 4-13 and 4-14, was based on a balancing between the consistency/inconsistency with adopted policies and plans.

No significant impacts to land use, as defined in the Final EIS page 4-14, are expected, so no mitigation is necessary to prevent significant impacts. The Final EIS lists mitigation measures that could be included to minimize impacts on pages 4-34 and 4-35.

The statement identified in the Interrogatory was based primarily on, Map 4-2 in the EIS, City GIS data, the Transportation Discipline Report, and the Seattle Comprehensive Plan, as well as the professional judgment of the authors and reviewers.

INTERROGATORY NO. 13: For each statement in the FEIS that indicates that an alternative will cause adverse Environmental Impacts to the Ballard Farmers Market or the Ballard Landmarks District, please identify with specificity the type and timing of such impacts, and identify all documents and information supporting such your conclusions.

RESPONSE:

OBJECTION: The City objects to Interrogatory 13, because the information requested is readily available in the FEIS, which is publicly available.

Without waiving any objection, the type and timing of such impacts are disclosed in Chapter 10: Cultural Resources of the *Burke-Gilman Trail Missing Link Project Final Environmental Impact Statement* (FEIS), as well as the documents and information relied upon for that analysis.

1 **INTERROGATORY NO. 14:** Identify the locations for each alternative at which
2 you have evaluated or determined that “sight lines may not meet industry standards” and identify
3 all documents that support this statement.

4 **RESPONSE:**

5 **OBJECTION:** The City objects to Interrogatory 14 as vague and ambiguous.

6 Without waiving any specific or general objection, the City interprets the quoted
7 language to be an excerpt from page 1-17 of the FEIS, which reads as follows:

8 Sight lines are important for safety and would be considered throughout the
9 corridor. Trees, vegetation, and other obstructions would be cleared from
10 intersections and from the back of sidewalks to avoid obstructing sight lines.
11 Parking would also be restricted near driveways and intersections to
12 preserve sight lines. Where possible, the trail would be shifted to allow
13 greater sight distances around buildings adjacent to the property lines.
14 However, because of the developed nature of the study area, sight lines
15 may not meet industry standards in all locations, depending on the
16 alternative.

17 The “industry standards” for sightlines to which the quote refers is the AASHTO
18 Green Book, which defines different sight distances based on factors like speed,
19 roadway geometry, etc. Based on analysis, SDOT concluded that the sight lines
20 at the following locations may not meet industry standards due to the built
21 environment:

- 22 • Preferred Alternative
 - 23 1. Next to Ballard Inflatable Boats
 - 24 2. Parking lot driveway at Market Street Center
 - 25 3. Garage entrance near Market Street Self Storage
 - 4. Parking lot driveway adjacent to Portlock

- Shilshole South Alternative
 - 1. Driveway east of Hatton Marine building
 - 2. Driveway adjacent to CSR Marine building at 4701 Shilshole Ave NW
 - 3. Driveway adjacent to large, blue CSR Marine Building
 - 4. Driveway adjacent to Ballard Mill Storage at 4631 Shilshole Ave NW
 - 5. Driveway adjacent to Bowman Refrigeration

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- 6. Driveway at approximately 1183 NW 45th St
- 7. Driveway adjacent (west) to Ballard Insulation
- 8. Driveway adjacent to 1143 NW 45th St

- Shilshole North Alternative

- 1. Next to Ballard Inflatable Boats
- 2. Parking lot driveway at Market Street Center
- 3. Garage entrance near Market Street Self Storage
- 4. Parking lot driveway adjacent to Portlock
- 5. Driveways between 28th and 26th (now Nordic Heritage Museum Site)
- 6. Garage entrance at Kam Gear
- 7. Garage entrance at Shilshole West Building
- 8. Garage entrance at Beacon Automotive Services
- 9. Garage entrance at Rathburn Automotive
- 10. Garage entrance at Wilson Bros Automotive
- 11. Loading Dock D entrance to Magnum Storage
- 12. Loading Dock E entrance to Magnum Storage
- 13. Loading dock entrance to Fifty Four Sixteen
- 14. Loading dock entrance to Salmon Bay Sand and Gravel (at approximately 47.665741, -122.383707)
- 15. Loading dock entrance to Salmon Bay Sand and Gravel (at approximately 47.665667, -122.383594)
- 16. Driveway entrance to Salmon Bay Sand and Gravel (at approximately 47.665476, -122.383367)
- 17. Driveway entrance to Salmon Bay Sand and Gravel (at approximately 47.665244, -122.383109)
- 18. Driveway entrance to Salmon Bay Sand and Gravel (at approximately 47.664848, -122.382698)
- 19. Driveway entrance to Salmon Bay Sand and Gravel (at approximately 47.664771, -122.382545)
- 20. Loading dock at Nebar Hose and Fittings
- 21. Loading dock a Euro Products Inc
- 22. Loading dock at Ballard Marine Services
- 23. Loading dock at Five Axis Industries
- 24. Loading dock at United Electric Motors
- 25. Parking lot driveway adjacent to United Electric Motors

- Ballard Ave Alternative

- 1. Driveway adjacent to King's Hardware
- 2. Driveway adjacent to 5129 Ballard Ave NW

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- 3. Garage entrance at approximately 47.664894, -122.381559
- 4. Garage entrance at approximately 47.664777, -122.381402
- 5. Garage entrance at approximately 47.664694, -122.381357
- 6. Driveway entrance at approximately 47.664249, -122.380776
- 7. Garage entrance at approximately 47.664107, -122.380630
- 8. Parking lot entrance adjacent to Ballard Sheet Metal Works
- 9. Loading dock entrance adjacent to Ballard Hardware
- 10. Garage entrance at 4733 Ballard Ave NW
- 11. Parking lot entrance adjacent to 4733 Ballard Ave NW
- 12. Garage entrance at approximately 47.663293, -122.379683
- 13. Garage entrance at approximately 47.663137, -122.379503
- 14. Parking Lot entrance adjacent to La Marzocco USA
- 15. Parking lot entrance adjacent to Dyna Contracting
- 16. Garage entrance at Thermo Sonic Glass
- 17. Garage entrance at Mr Detail Auto Salon (West)
- 18. Garage entrance at Mr Detail Auto Salon (east)

- Leary Alternative
 - 1. Next to Ballard Inflatable Boats
 - 2. Parking lot driveway at Market Street Center
 - 3. Garage entrance near Market Street Self Storage
 - 4. Parking lot driveway adjacent to Portlock
 - 5. Driveways between 28th and 26th (now Nordic Heritage Museum Site)
 - 6. Parking lot driveway adjacent to Porkchop & Co
 - 7. Driveway entrance to Ballard Landmark
 - 8. Parking lot entrance adjacent to Caffè Fiore
 - 9. Driveway to Olympic Athletic Club
 - 10. Driveway to Carter Subaru
 - 11. Garage entrance at approximately 47.664390, -122.379678
 - 12. Garage entrance at approximately 47.664156, -122.379425
 - 13. Garage entrance at 1535 NW Leary Way
 - 14. Garage entrance at High Road Automotive
 - 15. Driveway entrance adjacent to Quest Church

The CAD files were used to identify potential sight distance concerns.

1 **INTERROGATORY NO. 15:** For each statement in the FEIS that indicates
2 driveways, businesses, or other operations will need to be delayed, permanently closed, relocated,
3 or otherwise altered as a result of the operation of the Missing Link along the Preferred Alternative,
4 please identify with specificity the location, timing, and all information you considered in
5 determining the need for such closure, relocation, or alteration, and identify all documents that
6 support your statement and determination.
7

8 **RESPONSE:**

9 **OBJECTION:** The City objects to the characterization of the City’s analysis and
10 determinations in the FEIS included in Interrogatory 15. The FEIS does not state
11 that driveways, businesses, or other operations will need to be delayed,
12 permanently closed, relocated, or otherwise altered as a result of the operation of
13 the Missing Link along the Preferred Alternative. The FEIS indicates that some
14 driveways, businesses, or other operations could be delayed, relocated, or
15 otherwise altered as a result of the operation of the Preferred Alternative. The City
16 interprets the interrogatory to request information about the statement in the FEIS
17 that some driveways, businesses, or other operations could be delayed, relocated,
18 or otherwise altered as a result of the operation of the Preferred Alternative.

19 Additionally, the City objects to the portion of the interrogatory that requests that
20 the City “identify” characteristics of responsive documents because the request is
21 unduly burdensome, oppressive, and unnecessary. SDOT is producing the
22 documents and the Ballard Coalition may readily identify them by subject matter
23 and date.

24 Without waiving any general or specific objection, the delay that could be
25 experienced at driveways is summarized at Table 5-5 of the Transportation
Discipline Report, which shows delay would occur during the PM Peak hour when
traffic volumes are highest, as described in the FEIS. As described in the FEIS,
some driveways may be consolidated in order to improve safety and operations,
but no consolidations were assumed in the evaluation of impacts and no specific
locations have been identified as locations for consolidation other than the
potential location identified in the FEIS on NW 54th Street/NW Market.

Documents related to delay, closure, relocation or alteration of driveways include
driveway video data, interview notes with driveway owners, and design drawings.

1 **INTERROGATORY NO. 16:** Identify all information and documents that you
2 considered, evaluated, or upon which you otherwise relied for the following statements in the
3 FEIS:

4 a) “none of the Build Alternatives are expected to displace existing uses or cause changes
5 that would result in the loss of a business. Impacts are not expected to affect business
6 operating costs to the extent that they would be unable to operate.”

7 b) “Required adjustments and delays could increase costs for businesses, but are not
8 expected to cause significant impacts because businesses would likely adjust their practices
9 around these areas.”

10 c) “While additional delays in access and freight movement may occur, the trail would not
11 prohibit access to any properties, and impacts from the trail would not be significant.”

12 **RESPONSE:**

13 **OBJECTION:** The City objects to the characterizations of the statements above.

14 The full statement in request 16(a) appears in section 4.3.2 Impacts Common to
15 All Build Alternatives on page 4-16 of the Final EIS and reads as follows:

16 “Businesses would likely adapt to the minor delays, loss of parking, and
17 changes to loading areas along with other changing conditions. These
18 adaptations could increase operating costs, which could place incremental
19 economic pressure on some businesses (ECONorthwest, 2016). However,
20 none of the Build Alternatives are expected to displace existing uses or
21 cause changes that would result in the loss of a business. Impacts are not
22 expected to affect business operating costs to the extent that they would be
23 unable to operate.”

24 Statement b) appears in section 4.3.3 Preferred Alternative on page 4-20 of the
25 Final EIS. The full paragraph reads:

 “With the Preferred Alternative, there would be a net reduction of up to four
loading zone spaces. Generally, the City prioritizes the retention of loading
zone spaces and would work with adjacent businesses to retain or replace
loading zones as needed; thus, not all four would necessarily be lost. The
Preferred Alternative could also potentially remove some informal loading
areas that are within the City right-of-way. However, it is not possible to

1 quantify these areas because they are unpermitted and the City does not
2 recognize them as loading zones (see Chapter 8, Parking, and the Parking
3 Discipline Report [Parametrix, 2017b]). Several commercial and industrial
4 uses have high truck loading, unloading, and delivery activity at driveway
5 locations relative to other uses. Because uses are highly industrial along
6 this alignment, the loss of loading zone spaces and delays during loading
7 and unloading activities could negatively impact industrial uses. Some
8 loading activities that currently occur within the City right-of-way would need
9 to be relocated or the business would need to otherwise adapt because
10 vehicles would not be allowed to block the trail while loading and unloading.
11 Required adjustments and delays could increase costs for businesses, but
12 are not expected to cause significant impacts because businesses would
13 likely adjust their practices around these areas (ECONorthwest, 2016).”

9 Statement c) appears in section 4.3.3 Preferred Alternative on page 4-21 of the
10 Final EIS. The full paragraph (one sentence) reads:

11 “While additional delays in access and freight movement may occur, the
12 trail would not prohibit access to any properties, and impacts from the trail
13 would not be significant. Increasing delays in access, however, could
14 contribute to increased operational costs for some businesses
15 (ECONorthwest, 2016).”

14 Additionally, the City objects to the portion of the interrogatory that requests that
15 the City “identify” characteristics of responsive documents because the request is
16 unduly burdensome, oppressive, and unnecessary. The City is producing the
17 documents and the Ballard Coalition may readily identify them by subject matter
18 and date.

17 Without waiving any objection, the City interprets the statements quoted in the
18 request to refer to their full text and context. As clarified, the statements are based
19 on Map 4-2 in the EIS, the Transportation Discipline Report, the Parking Discipline
20 Report, Economics Considerations Report, and the sources identified within those
21 reports.

22 **INTERROGATORY NO. 17:** Identify all information and documents you
23 considered, evaluated, or relied upon to determine driveway operations, vehicle types, driveway
24 usage by time of day, week and year, frequently of driveway users, number of driveways, and
25

1 estimated vehicle volumes along the Preferred Alternative, the Shilshole South Alternative and the
2 Leary Alternative evaluated in the DEIS or FEIS as the case may be.

3 **RESPONSE:**

4 **OBJECTION:** The City objects to Interrogatory 17 as unduly burdensome and
5 unnecessary under the circumstances of this appeal. The information requested is
6 readily available in the DEIS and FEIS, which is publicly available. Additionally, the
7 City objects to the portion of the interrogatory that requests that the City “identify”
8 characteristics of responsive documents because the request is unduly
9 burdensome, oppressive, and unnecessary. The City is producing the documents
10 and the Ballard Coalition may readily identify them by subject matter and date

11 Without waiving any objection, the “information and documents considered,
12 evaluated, or relied upon to determine driveway operations, vehicle types,
13 driveway usage by time of day, week and year, frequently(sic) of driveway users,
14 number of driveways, and estimated volumes along the Preferred Alternative, the
15 Shilshole South Alternative and the Leary Alternative evaluated in the DEIS or
16 FEIS” include: Vehicle classification data, vehicle volume data, driveway video
17 data, and interviews with driveway owners, as described in response to
18 Interrogatory No. 8.

19 **INTERROGATORY NO. 18:** Will you obtain a Shoreline Substantial Development for
20 the Preferred Alternative for the Missing Link evaluated in the FEIS or do you contend it is exempt
21 from such a permit requirement? If your answer that it is exempt, please identify the basis for your
22 answer and all documents and information that support it.

23 **RESPONSE:**

24 **OBJECTION:** The City objects on the grounds that it seeks information that it
25 seeks information not in the City’s possession.

Without waiving any specific or general objection, the project will undergo review
under the City’s Shoreline Master Program at the time SDOT submits an

1 application. To date, no determination has been made whether that will be
2 through an exemption or a permit.

3
4 **INTERROGATORY NO. 19:** Identify what you did “in 2016 and 2017” to collect
5 additional traffic and parking data in the study area as stated on page 7-2 of the FEIS, including
6 identifying each person who contributed to, participated in, managed, or collected such additional
7 data, how you and each person identified above participated in, managed, or collected such
8 additional data, what collection tools, instruments, types of measurements, data, and equipment
9 you and each person identified used to collect such additional data, and identify all documents,
10 including raw data files, related in any way to your and each person identified above collection of
11 additional data.
12

13 **RESPONSE:**

14 **OBJECTION:** The City objects to Interrogatory 18 as unduly burdensome,
15 duplicative, and unnecessary under the circumstances of this appeal. Much of the
16 information requested is included in the FEIS, which is publicly available.

17 Additionally, the City objects to the portion of the interrogatory that requests that
18 the City “identify” characteristics of responsive documents because the request is
19 unduly burdensome, oppressive, and unnecessary. The City is producing
20 responsive documents and the Ballard Coalition may readily identify them by
21 subject matter and date

22 Without waiving any specific or general objection, please see response to
23 Interrogatory No. 8 for the vehicle data collection information.

24 Additional parking utilization data (both on-street and off-street) was collected in
25 February 2017. As summarized in the FEIS, parking utilization data was collected
between 7-10 PM on a weekday and at 8 AM, 9 AM, 12 PM, and 3-10 PM on a
Saturday. Ryan LeProwse managed the parking data collection that was
completed by IDAX. Cameron Clark from IDAX managed and completed the
parking data collection for IDAX. Parking utilization data is captured by individuals
counting the number of vehicles parked during physical site visits. The documents

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and data files related to the collection of additional parking data include spreadsheets with parking utilization counts and maps identifying the locations where parking counts were completed. In the parking spreadsheets, parking supply represents the number of available parking spaces and demand/utilization/UT represents the amount of parking spaces being used.

B. FIRST SET OF REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Produce all documents that you consulted, considered, relied upon, were identified or otherwise support your Response to Interrogatory No.

1.

RESPONSE:

No responsive documents.

REQUEST FOR PRODUCTION NO. 2: Produce all documents that you consulted, considered, relied upon, were identified or otherwise support your Response to Interrogatory No.

2.

RESPONSE:

The City incorporates specific objections to interrogatory 2. Without waiving any specific or general objection, the City is producing responsive documents.

REQUEST FOR PRODUCTION NO. 3: Produce all documents that you consulted, considered, relied upon, were identified or otherwise support your Response to Interrogatory No.

3.

RESPONSE:

The City incorporates specific objections to interrogatory 3. Without waiving any specific or general objection, the City is producing responsive documents.

1 **REQUEST FOR PRODUCTION NO. 4:** Produce all documents that you consulted,
2 considered, relied upon, were identified or otherwise support your Response to Interrogatory No.
3 4.

4 **RESPONSE:**

5 The City incorporates specific objections to interrogatory 4. Without waiving any
6 specific or general objection, the City is producing responsive documents.

7
8 **REQUEST FOR PRODUCTION NO. 5:** Produce all documents that you consulted,
9 considered, relied upon, were identified or otherwise support your Response to Interrogatory No.
10 5.

11 **RESPONSE:**

12 The City incorporates specific objections to interrogatory 5. Without waiving any
13 specific or general objection, the City is producing responsive documents.

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16 **REQUEST FOR PRODUCTION NO. 6:** Produce all documents that you consulted,
17 considered, relied upon, were identified or otherwise support your Response to Interrogatory No.
18 6.

19 **RESPONSE:**

20 The City incorporates specific objections to interrogatory 2. Without waiving any
21 specific or general objection, the City is producing responsive documents.

22
23 **REQUEST FOR PRODUCTION NO. 7:** Produce all documents that you identified,
24 consulted, considered, relied upon or otherwise support your Response to Interrogatory No. 7.

25 **RESPONSE:**

1 The City incorporates specific objections to interrogatory 7. Without waiving any
2 specific or general objection, the City is producing responsive documents.

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4 **REQUEST FOR PRODUCTION NO. 8:** Produce all documents that you identified,
5 including raw data files, in your Response to Interrogatory No. 8.

6 **RESPONSE:**

7 The City incorporates specific objections to interrogatory 8. Without waiving any
8 specific or general objection, the City is producing responsive documents.

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10 **REQUEST FOR PRODUCTION NO. 9:** Produce all AutoTURN documents, CAD
11 files, raw data files, surveys and any other documents prepared between January 2013 to May 2017
12 related in any way to your Response to Interrogatory No. 9, the DEIS and the FEIS.

13 **RESPONSE:**

14 The City incorporates specific objections to interrogatory 9. Without waiving any
15 specific or general objection, the City is producing responsive documents.

16 **REQUEST FOR PRODUCTION NO. 10:** Produce all documents that you identified,
17 consulted, considered, relied upon or otherwise support your Response to Interrogatory No. 11.

18 **RESPONSE:**

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20 The City incorporates specific objections to interrogatory 11. Without waiving any
21 specific or general objection, the City is producing responsive documents.

1 **REQUEST FOR PRODUCTION NO. 11:** Produce all documents that you identified,
2 consulted, considered, relied upon or otherwise support your Response to Interrogatory No. 12.

3 **RESPONSE:**

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5 The City incorporates specific objections to interrogatory 12. Without waiving any
6 specific or general objection, the City is producing responsive documents.

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9 **REQUEST FOR PRODUCTION NO. 12:** Produce all documents that you identified,
10 consulted, considered, relied upon or otherwise support your Response to Interrogatory No. 13.

11 **RESPONSE:**

12 The City incorporates specific objections to interrogatory 13. Without waiving any
13 specific or general objection, the City is producing produce responsive documents.

14
15 **REQUEST FOR PRODUCTION NO. 13:** Produce all documents that you identified,
16 consulted, considered, relied upon or otherwise support your Response to Interrogatory No. 14.

17 **RESPONSE:**

18 The City incorporates specific objections to interrogatory 2. Without waiving any
19 specific or general objection, the City is producing responsive documents.

20
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22 **REQUEST FOR PRODUCTION NO. 14:** Produce all documents that you identified,
23 consulted, considered, relied upon or otherwise support your Response to Interrogatory No. 15.

24 **RESPONSE:**

25 The City incorporates specific objections to interrogatory 15. Without waiving any
specific or general objection, the City is producing responsive documents.

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3 **REQUEST FOR PRODUCTION NO. 15:** Produce all documents that you identified,
4 consulted, considered, relied upon or otherwise support your Response to Interrogatory No. 16.

5 **RESPONSE:**

6 The City incorporates specific objections to interrogatory 16. Without waiving any
7 specific or general objection, the City is producing responsive documents.

8 **REQUEST FOR PRODUCTION NO. 16:** Produce all documents that you identified,
9 consulted, considered, relied upon or otherwise support your Response to Interrogatory No. 17.

10 **RESPONSE:**

11 The City incorporates specific objections to interrogatory 17. Without waiving any
12 specific or general objection, the City is producing responsive documents.

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15 **REQUEST FOR PRODUCTION NO. 17:** Produce all documents that you identified,
16 consulted, considered, relied upon or otherwise support your Response to Interrogatory No. 18.

17 **RESPONSE:**

18 The City incorporates specific objections to interrogatory 18. No responsive
19 documents exist.

20
21 **REQUEST FOR PRODUCTION NO. 18:** Produce all documents, including raw data
22 files, that you identified, consulted, considered, relied upon or otherwise support your Response
23 to Interrogatory No. 19.

24 **RESPONSE:**

25 The City incorporates specific objections to interrogatory 19. Without waiving any
specific or general objection, the City is producing responsive documents.

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REQUEST FOR PRODUCTION NO. 19: Produce all drafts of the DEIS and all of its Technical Appendices prepared between January 2013 and June 2016.

RESPONSE:

OBJECTION: The City objects to Request for Production No. 19 as unduly burdensome and unnecessary under the circumstances of this appeal. Without waiving any specific or general objection, the City is producing any responsive documents.

REQUEST FOR PRODUCTION NO. 20: Produce all drafts of the FEIS and all of its Technical Appendices prepared between June 2016 and May 2017.

RESPONSE:

OBJECTION: The City objects to Request for Production No. 20 as unduly burdensome and unnecessary under the circumstances of this appeal. Without waiving any specific or general objection, the City is producing responsive documents.

REQUEST FOR PRODUCTION NO. 21: To the extent not otherwise produced in response to Requests for Production 1- 20 above, produce all drafts of all evaluations, data collections, studies, or other reports that you considered, evaluated, or relied upon that relate to the Environmental Impacts of the Missing Link, whether or not they are referenced in the DEIS or FEIS and were prepared between January 2013 and May 2017.

RESPONSE:

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OBJECTION: The City objects to Request for Production No. 21 as unduly burdensome and unnecessary under the circumstances of this appeal. Without waiving any specific or general objection, the City is producing responsive documents.

REQUEST FOR PRODUCTION NO. 22: Produce all documents that relate to or that you relied upon for your analysis of Environmental Impacts of the New Segment of the Preferred Alternative discussed and described in the FEIS.

RESPONSE:

OBJECTION: The City objects to Request for Production No. 22 as unduly burdensome and unnecessary under the circumstances of this appeal. Without waiving any specific or general objection, the City is producing responsive documents.

REQUEST FOR PRODUCTION NO. 23: Produce all computer-aided design (CAD), base design, or similar drawings, figures, tables, and other data, in native format, that you consulted, evaluated, or referenced in connection with the preparing the AutoTURN analysis or your evaluation of Environmental Impacts in the DEIS and the FEIS.

RESPONSE:

OBJECTION: The City objects to Request for Production No. 23 as unduly burdensome and unnecessary under the circumstances of this appeal. Without waiving any specific or general objection, the City is producing responsive documents.

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3 **REQUEST FOR PRODUCTION NO. 24:** Produce all documents that relate to
4 communication between SDOT and the Seattle Department of Construction and Inspections
5 (previously the Seattle Department of Planning and Development) related to the Missing Link
6 from January 2013 to the present including, without limit, any communication, permit application
7 or other documents related to compliance with or exemption from the requirement to obtain a
8 Shoreline Substantial Development permit for the Missing Link.
9

10 **RESPONSE:**

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12 **OBJECTION:** The City objects to Request for Production No. 24 on the grounds
13 that the information requested is outside the scope of discovery because it seeks
14 information irrelevant to this appeal of the FEIS and is not reasonably calculated
15 to lead to discoverable evidence. The permitting process has not yet initiated and
16 is not relevant to the adequacy of the FEIS.

17 Without waiving any general or specific objection, the City is producing responsive
18 documents.

19 **REQUEST FOR PRODUCTION NO. 25:** Produce all documents that relate to
20 communications between you and any member or representative of the Cascade Bicycle Club
21 related to the Missing Link from January 2013 to the present.
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23 **RESPONSE:**

24 **OBJECTION:** The City objects on the grounds that the information requested is
25 privileged and subject to a common interest agreement.

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Without waiving any general or specific objection, the City is producing responsive documents.

REQUEST FOR PRODUCTION NO. 26: Produce all documents that relate to all communications between the office of the Seattle City Attorney and attorneys for or other representatives of the Cascade Bicycle Club related to the Missing Link from December 2012 to the present.

RESPONSE:

OBJECTION: The City objects on the grounds that the information requested is privileged and subject to a common interest agreement.

REQUEST FOR PRODUCTION NO. 27: Produce all documents related to the Burke-Gilman Trail Missing Link Design Advisory Committee prepared since September 1, 2016 to the present.

RESPONSE:

OBJECTION: The City objects to Request for Production No. 27 as unduly burdensome and unnecessary under the circumstances of this appeal and on the grounds that the information requested is outside the scope of discovery because it seeks information irrelevant to this appeal of the FEIS and is not reasonably calculated to lead to discoverable evidence.

Without waiving any specific or general objection, the City is producing responsive documents.

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3 **REQUEST FOR PRODUCTION NO. 28:** Produce all documents that relate to any
4 analysis, evaluation, consideration, or discussion of alternatives for completing the Missing Link
5 considered but not included in the DEIS or the FEIS.
6

7 **RESPONSE:**

8 **OBJECTION:** The City objects to Request for Production No. 28 as unduly
9 burdensome and duplicative.

10 Without waiving any specific or general objection, the City is producing responsive
11 documents.
12

13
14 **REQUEST FOR PRODUCTION NO. 29:** To the extent not otherwise included in the
15 FEIS, produce all documents, including without limit, unpublished drafts, working copies, notes,
16 memoranda, and any other document prepared between January 2013 and May 2017 with regard
17 to the following:
18

- 19 a) ECONorthwest, Economic Considerations report for the Burke-Gilman Trail
20 Missing Link;
21 b) ESA, Land Use Discipline Report for the Burke-Gilman Trail Missing Link;
22 c) Parametrix, Transportation Discipline Report for the Burke-Gilman Trail Missing
23 Link;
24 d) Parametrix, Parking Discipline Report for the Burke-Gilman Trail Missing Link;
25

- 1 e) Cole, Byron, January 28, 2016 telephone interview;
- 2 f) Fehr & Peers and SvR Design Company, 2011, University of Washington Burke-
- 3 Gilman Trail Corridor Study;
- 4 g) IDAX, 2015 and 2017 Burke-Gilman Trail Missing Link EIS Transportation Data
- 5 Collection;
- 6 h) SDOT, Burke-Gilman Trail Missing Link EIS Turning Movement Data;
- 7 i) SDOT, Burke-Gilman Trail EIS Daily Vehicle Count Traffic Data;
- 8 j) SDOT, Burke-Gilman Trail EIS Bicycle Volume Data; and
- 9 k) IDAX, Burke-Gilman Trail Missing Link EIS Parking Study.

11 **RESPONSE:**

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14 **OBJECTION:** The City objects to Request for Production No. 29 as unduly
burdensome and duplicative.

15 Without waiving any specific or general objection, the City is producing responsive
16 documents.

17
18 **REQUEST FOR PRODUCTION NO. 30:** Other than as reproduced in their entirety in
19 the FEIS, produce all documents that relate to traffic collisions or near-misses between traffic,
20 pedestrians, and cyclists in the study area, as defined in Chapter 7 of the FEIS.

21 **RESPONSE:**

22 **OBJECTION:** The City objects to Request for Production No. 30 as unduly
23 burdensome and duplicative.

24 Without waiving any specific or general objection, the City is producing responsive
25 documents.

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REQUEST FOR PRODUCTION NO. 31: Produce all documents prepared between January 2013 and May 2017 that relate in any way to the discussion and evaluation of “safety” as that term is used throughout the DEIS and the FEIS.

RESPONSE:

OBJECTION: The City objects to Request for Production No. 31 as overly broad, unduly burdensome and duplicative.

Without waiving any specific or general objection, the City is producing responsive documents.

VERIS LAW GROUP PLLC and
FOSTER PEPPER PLLC

/s/ Joshua Brower
Patrick J. Schneider, WSBA No. 11957
Joshua C. Allen Brower, WSBA No. 25092
Leah B. Silverthorn, WSBA No. 51730
Danielle Granatt, WSBA No. 44182
Attorneys for the Ballard Coalition

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VERIFICATION

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

_____, being first duly sworn upon oath, deposes and says:

I am the _____ of Respondent and authorized to sign this document on its behalf. I have read the above and foregoing **PETITIONERS' FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION TO RESPONDENT, THE CITY OF SEATTLE, AND RESPONSES THERETO**, know the contents thereof and believe the same to be true.

Signature

Print Name

SIGNED AND SWORN to before me this _____ day of _____, 2017.

Notary Public in and for the State of

Residing at _____

My Commission expires: _____

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ATTORNEY CERTIFICATION

The undersigned attorneys for Respondent the City of Seattle have read the foregoing **PETITIONERS' FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION TO RESPONDENT, THE CITY OF SEATTLE, AND RESPONSES THERETO**, know and hereby certify that they are in compliance with CR 26(g).

DATED this 10th day of August, 2017.

CITY OF SEATTLE

s/ Erin E. Ferguson, WSBA #39535

Erin Ferguson

Assistant City Attorney, City of Seattle

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