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BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the Matter of the Appeal of:)	
)	Hearing Examiner File
THE BALLARD COALITION)	
)	W-17-004
of the adequacy of the Final Environmental)	
Impact Statement, prepared by the Seattle)	SDOT'S FINAL WITNESS AND
Department of Transportation for the Burke-)	EXHIBIT LIST
Gilman Trail Missing Link Project,)	
)	
Appellant.)	
)	

Respondent Seattle Department of Transportation (SDOT) submits the following final list of witnesses and exhibits. SDOT's lists, below, are based on information SDOT has obtained through discovery and on the Appellant Ballard Coalition's (Coalition) preliminary lists of witnesses and exhibits. The Coalition's second preliminary lists of witnesses and exhibits did not meaningfully reduce the number of witnesses or exhibits identified or the scope of proposed testimony, and SDOT is filing its final lists without the benefit of seeing the Coalition's final lists. Moreover, several of the Coalition's expert witnesses had not completed their work or been made available for deposition by the discover cutoff. Accordingly, the scope of the evidence that the Coalition intends to present at hearing is not clear. SDOT therefore reserves the right to present rebuttal evidence as needed.

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I. WITNESSES

SDOT may decide not to call one or more witnesses listed, if determined not to be necessary after the presentation of Ballard Coalition's case in chief. SDOT reserves the right to call rebuttal witnesses who are not listed below and to call as a witness any of the witnesses listed by the Appellants and Respondents. If for any reason, any of the listed witnesses identified below becomes unavailable for hearing, SDOT reserves the right to substitute with another witness with similar qualifications, expertise, or familiarity with the issues on review.

1. Mark Johnson, ESA

Mr. Johnson is a Program Manager for ESA. He may be called to provide fact and/or expert testimony regarding the potential land use impacts and land use analysis for the Project, as well as other analyses in the EIS. Mr. Johnson may also provide fact and/or expert testimony rebutting testimony and arguments raised by the Coalition's witnesses. Mr. Johnson was a contributing author and the reviewer of the land use analysis and other chapters in the EIS. A copy of his resume was provided with the City's first Preliminary Witness and Exhibit List.

2. Mark Mazzola, SDOT

Mr. Mazzola is the environmental manager for SDOT. He may be called to provide fact and/or expert testimony regarding the environmental review for the Burke Gilman Trail Missing Link Project that is the subject of this appeal. Mr. Mazzola may also provide fact and/or expert testimony rebutting testimony and arguments raised by the Coalition's witnesses. Mr. Mazzola was responsible for managing the team who prepared the EIS and did the underlying analysis, as well as contributing to and reviewing the EIS and supporting documents, and fulfilling the other SEPA responsibilities of SDOT as lead agency. A copy of his resume was provided with the City's first Preliminary Witness and Exhibit List.

1 3. Ryan LeProwse, Parametrix

2 Mr. LeProwse is a Senior Transportation Engineer with Parametrix. He may be called to
3 provide fact and/or expert testimony primarily regarding the potential parking impacts and the
4 parking analysis related to the Project. Mr. LeProwse may also provide fact and/or expert
5 testimony rebutting testimony and arguments raised by the Coalition's witnesses. Mr.
6 LeProwse was the primary author of the parking discipline report and parking chapters of the
7 EISs and reviewed and contributed to the transportation discipline reports and chapters of the
8 EISs. A copy of his resume was provided with the City's first Preliminary Witness and Exhibit
List.

9 4. Erinn Ellig, Parametrix

10 Ms. Ellig is a Transportation Planner with Parametrix. She may be called to provide fact
11 and/or expert testimony regarding the potential transportation impacts, specifically related to
12 potential traffic hazards, and analysis for the Project. Ms. Ellig may also provide fact and/or
13 expert testimony rebutting testimony and arguments raised by the Coalition's witnesses. Ms.
14 Ellig was the primary author of the transportation discipline report and transportation chapters
15 of the EISs. A copy of her resume was provided with the City's first Preliminary Witness and
Exhibit List.

16 5. Dongho Chang, SDOT

17 Mr. Chang is the City Traffic Engineer. He may be called to provide fact and/or expert
18 testimony regarding the design, the potential traffic hazard impacts, and the analysis of those
19 impacts related to the Project. Mr. Chang contributed to various analyses in the EIS. Mr.
20 Chang may also provide fact and/or expert testimony rebutting testimony and arguments
21 raised by the Coalition's witnesses. A copy of his resume is attached. A copy of his resume
22 was provided with the City's first Preliminary Witness and Exhibit List.
23

1 6. Brad Phillips, Parametrix

2 Brad Phillips is a Senior Civil Engineer with Parametrix. He may be called to provide fact
3 and/or expert testimony regarding the design of the Project and the analysis of the potential
4 traffic hazard impacts for the Project. Mr. Phillips may also provide fact and/or expert
5 testimony rebutting testimony and arguments raised by the Coalition's witnesses. He was
6 primarily responsible for the design of the Project alternatives evaluated in the EIS, is familiar
7 with the AutoTURN analysis, including the analysis completed for this Project, and
8 contributed to analyses in the EIS. A copy of his resume was provided with the City's first
9 Preliminary Witness and Exhibit List.

10 7. Morgan Shook, EcoNorthwest

11 Mr. Shook is a Director at EcoNorthwest. He may be called to provide fact and/or expert
12 testimony regarding the potential economic impacts and economic analysis for the Project,
13 for which he was the primary author. Mr. Shook may also provide fact and/or expert testimony
14 rebutting testimony and arguments raised by the Coalition's witnesses. A copy of his resume
15 was provided with the City's first Preliminary Witness and Exhibit List.

16 8. Bill Schultheiss, Toole Design Group.

17 Mr. Schultheiss is a Principal Engineer for Toole Design Group, with a focus on projects
18 related to improving multimodal facilities in urban settings, as well as leading the
19 development of updated AASHTO guidelines for the development of bicycle facilities. Mr.
20 Schultheiss may be called to provide expert testimony regarding the trail design and potential
21 traffic hazards related to the Project, as well as to rebut the potential testimony of Coalition
22 witnesses including but not limited to Victor Bishop, Claudia Hirschey, and Scott Kuznicki.
23 A copy of his resume is attached.

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II. Exhibits

As respondent in this matter defending against claims raised by Appellant Ballard Coalition, SDOT reserves the right to offer any exhibit identified by another party and offer rebuttal exhibits as allowed by the Hearing Examiner. SDOT identifies the following exhibits:

1. The Draft and Final Environmental Impact Statements for the Burke-Gilman Missing Link Project, and all associated technical appendices;
2. Documents and data referenced in or supporting the conclusions in the DEIS, FEIS, and technical appendices, including:
 - a. Seattle Comprehensive Plan
<http://www.seattle.gov/Documents/Departments/OPCD/OngoingInitiatives/SeattleComprehensivePlan/SeattleComprehensivePlanCouncilAdopted2016.pdf>
 - b. Seattle Bike Master Plan
https://www.seattle.gov/Documents/Departments/SDOT/About/DocumentLibrary/BicycleMasterPlan/SBMP_21March_FINAL_full%20doc.pdf
 - c. Seattle Pedestrian Master Plan
<http://www.seattle.gov/Documents/Departments/SDOT/About/DocumentLibrary/SeattlePedestrianMasterPlan.pdf>
 - d. Seattle Freight Master Plan,
http://www.seattle.gov/Documents/Departments/SDOT/About/DocumentLibrary/FMP_Report_2016E.pdf
and Appendix C (beginning at p. 115 of the appendices)
http://www.seattle.gov/Documents/Departments/SDOT/About/DocumentLibrary/FMP_Appendices.pdf
3. Project plans/designs for each build alternative.
4. Seattle "Streets Illustrated" <http://streetsillustrated.seattle.gov/sitemap/> and the prior SDOT Right-of-Way Improvement Manual.
5. WSDOT Design Manual, Chapter 15 – Pedestrian and Bicycle Facilities.
<https://www.wsdot.wa.gov/Publications/Manuals/M22-01.htm#Individualchapters>
6. NACTO Urban Bikeway Design Guide, <https://nacto.org/publication/urban-bikeway-design-guide/>
7. 2012 AASHTO Bicycle Planning and Design Guide.
8. Jennifer, D., and Nathan, M. (2016) "Revisiting the Four Types of Cyclists." Transportation Research Record: Journal of the Transportation Research Board, 2587, 90-99.

- 1 9. Wierda, M. and Brookhuis, K. A. Analysis of Cycling Skill: A Cognitive Approach. *Applied Cognitive Psychology*, Vol. 5, No. 2, 1991, 113-122.
- 2 10. Figliozi, Miguel; Wheeler, Nikki; Monsere, Christopher M. (2013) Methodology for
- 3 Estimating Bicyclist Acceleration and Speed Distributions at Intersections,
- 4 *Transportation Research Record* 2387: 66-75.
- 5 11. National Center for Statistics and Analysis. *Traffic Safety Facts: Bicyclists and Other*
- 6 *Cyclists, 2015 Data*. DOT-HS-812-382. National Highway Traffic Safety
- 7 Administration, U.S. Department of Transportation, Washington, DC, March, 2017.
- 8 12. Safe Routes to School National Partnership. (2015). At the Intersection of Active
- 9 Transportation and Equity.
- 10 [https://www.apha.org/~media/files/pdf/topics/environment/srts_activetranspequity_r](https://www.apha.org/~media/files/pdf/topics/environment/srts_activetranspequity_report_2015.ashx)
- 11 [eport_2015.ashx](https://www.apha.org/~media/files/pdf/topics/environment/srts_activetranspequity_report_2015.ashx).
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- 13 *421 Reviews*, Vol. 36, No. 1, 2016, pp. 9-27.
- 14 <http://www.tandfonline.com/doi/abs/10.1080/01441647.2015.1069908>
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- 18 15. 2016 FHWA Achieving Multimodal Networks: Applying Design Flexibility &
- 19 Reducing Conflicts
- 20 16. 2017 DUTCH CROW Design Manual for Bicycle Traffic
- 21 17. Forester, J. *Effective Cycling*. MIT Press, Massachusetts, 2012.
- 22 18. Lusk, A.C., Furth, P.G., Morency, P., Miranda-Moreno, L.F., Willett, W.C, and
- 23 Dennerlein, J.T. Risk of Injury for bicycling on cycle tracks versus in the street.
- Injury and Prevention*, Vol. 17, No. 2, 2011.
19. Schepers, J.P., Kroeze, P.A., Sweers, W., Wust, J.C. Road factors and bicycle - motor
- vehicle crashes at unsignalized priority intersections. *Accident Analysis and*
- Prevention*, Vol. 43, 2011, pp. 853 - 61.
20. Harris et al. Comparing the effects of infrastructure on bicycling injury at
- intersections and non-intersections using a case-crossover design. *Injury Prevention*,
- Vol. 19, 2013, pp. 303-310.
21. Marques, R. and Hernandez-Herrador, V. On the effect of networks of cycle-tracks on
- the risk of cycling. The case of Seville. *Accident Analysis and Prevention*, Vol. 102,
- 2017, pp.181-190.
22. Smith, M. and Butcher, T., National Parking Association, "How far to Walk," p. 28-
- 31 (May 2008).

1 23. Illustrative exhibits.

2 All exhibits identified in this final list of exhibits may be accessed via the links provided above
3 or will be produced separately via electronic delivery to the parties.

4 DATED this 6th day of November, 2017.

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Department of Transportation

CERTIFICATE OF SERVICE

I certify that on this date, I electronically filed a copy of the SDOT's Final Witness and Exhibit List with the Seattle Hearing Examiner using its e-filing system.

I also certify that on this date, a copy of this document was sent via email agreement to the following parties listed below:

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DATED this 6th day of November, 2017

s/ALICIA REISE, Legal Assistant