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6	BEFORE THE HEARIN	JC EVAMINED
7	FOR THE CITY OF	
8	In the Matter of the Appeals of	Hearing Examiner Consolidated File: W-17-006 through
9	WALLINGFORD COMMUNITY COUNCIL, ET	W-17-006 through W-17-014
10	AL.,	APPELLANT BEACON HILL COUNCIL OF SEATTLE
11	of the City of Seattle Citywide Implementation of Mandatory Housing Affordability (MHA) Final Environmental Impact Statement,	PRELIMINARY WITNESS & EXHIBIT LIST
12		(Appellant in No. W-17-012)
13		( 11 )
14	Appellant Beacon Hill Council of Seattle ("BHo	CS") hereby submits its Preliminary Witness
15	and Exhibit List for its appeal.	
16		
17	I. WITNE	SS LIST
18	Appellant may call the following witnesses t	o testify at the appeal hearing. The general
19	subject matter of their expected testimony is noted belo	w.
20	I. RESERVATIO	N OF RICHTS
21	Identification of Additional Witnesses and E	
22	produced voluminous documents purportedly responsive	
23	produced voluminous documents purportedly responsiv	to Bires a requesta for Froduction served

on 1/5/18. OPCD has not yet provided answers to BHCS's Interrogatories and Requests for Production, also served on 1/5/18. BHCS's review of the OPCD's discovery responses may reveal additional witnesses and documents critical to fully presenting BHCS's case. Therefore, BHCS reserves the right to supplement this Preliminary Witness and Exhibit List in the Final Witness and Exhibit List.

Witnesses and Exhibits Identified by Other Parties. Additionally, the Appellant reserves the right (a) to call any witness identified by any party, including any other appellant, (b) to use any of the documents and/or exhibits identified by any other party, including any other appellant, (c) to call substitute witnesses if any identified witness becomes unavailable, (d) to call rebuttal witnesses, (e) to call additional witnesses as allowed by Seattle Hearing Examiner Rules, and. (f) to supplement this preliminary witness and document list as new or more information becomes available.

<u>Time Estimates</u>. The approximate time period for each witness's direct testimony does not include time to authenticate documents, arguments about the admissibility of documents if the Respondent will not stipulate to admission of the document(s), nor time for cross examination and redirect testimony.

## AIR/NOISE POLLUTION

1. Dr. Timothy (Tim) Larson (tlarson@uw.edu, 206-543-6815, UW Campus Wilcox Bldg 269). Dr. Larson is a professor in the Department of Civil & Environmental Engineering and the Department of Environmental & Occupational Health Sciences, where he teaches courses on air pollution control and air quality modeling. He is also the co-director of the Master of Science in Civil Engineering: Energy Infrastructure. Larson has over 35 years of experience in air quality research, specifically in characterization of urban air pollution and its sources.

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His major focus in recent years has been on assessment of human exposure to outdoor air pollutants, and he has collaborated with other UW researchers on many projects related to the health consequences of exposure to air pollution. Dr. Larson's education includes a Bachelor of Science in Chemical Engineering, Lehigh University, 1968; a Master of Science in Chemical Engineering, University of Washington, 1972; and a Ph.D. in civil engineering from the University of Washington, 1976. He is Co-Principal Investigator for Mobile Observations of Ultrafine Particles (MOV-UP) Study. http://deohs.washington.edu/mov-up. Dr. Larson is expected to testify, regarding air pollution issues in North Beacon Hill and the inadequacy of the City's analysis in the FEIS. (2.5 hours)

2. Dr. Troy D. Abel (Troy.Abel@wwu.edu, 360-739-65960. Dr. Abel's research and teaching interests focus on the dynamic tensions of environmental science and democratic politics in the fields of environmental justice, information disclosure and climate governance. He is an Associate Professor of Environmental Policy at Western Washington University's Huxley College of the Environment, a co-recipient of the Lynton Keith Caldwell award for the MIT Press publication Coming Clean: Information Disclosure and Environmental Performance, and more recently, Dr. Abel published a series of articles in the American Journal of Public Health, Interdisciplinary Environmental Review, and Sustainability on the intersections between environmental injustice, gentrification and sustainability in Seattle, WA. He is currently the principal investigator on a Climate Risk Governance study funded by the National Science Foundation and a co-lead on a Collaborative Problem Solving and Environmental Justice project funded by the EPA. Dr. Abel has directed or co-directed extramurally funded research projects that total more than 1.6 million dollars and is a

recognized North American expert on environmental information disclosure and environmental justice, the American Editor of the International Journal of Environment and Pollution, and has served as an expert panelist for the US Environmental Protection Agency's Science Advisory Board. Recent publication "Risky Business: Sustainability and Industrial Land Use Across Seattle's Gentrifying Riskscape", Sustainability, Vol 7, Issue 11. Dr. Abel is expected to testify, regarding air and noise pollution issues in North Beacon Hill and the inadequacy of the City's analysis in the FEIS. (2.5 hours)

# HISTORIC RESOURCES

3. Frederica Merrell (2817 14<sup>th</sup> Ave. S, Seattle, WA 98144) - author, resident of North Beacon Hill for more than 30 years and former member of the BHCS. Ms. Merrell is expected to testify on Beacon Hill's historic and cultural resources, the existing character and aesthetics of housing in the North Beacon Hill Urban Village and the extent to which the City failed to fund an adequate analysis of those resources. (30 Minutes).

# **DISPLACEMENT**

4. Esther "Little Dove" John (1807 13<sup>th</sup> Ave. S, Seattle WA 98144) – current BHCS board member and resident of North Beacon Hill for more than 20 years. Ms, John is expected to testify on her experience with multiple displacements in Seattle and the inability of finding safe, affordable housing on Beacon Hill. (30 Minutes).

## TRANSPORTATION/NEIGHBORHOOD PLAN

5. Roger Pence (1103 5<sup>th</sup> Ave S #A, Edmonds, WA 98020) – resident of Beacon Hill for over 20 years and former chair of BHCS (30 minutes). Mr. Pence is expected to testify on the development of the North Beacon Hill Neighborhood Plan (1999), the North Beacon Hill Neighborhood Plan Update (2011) and the extent to which the City failed to fund an adequate analysis of the North Beacon Hill Town Center Plan contained therein. (30 minutes).

Appellant reserves the right to call any witness identified by any other party, to call additional rebuttal witnesses, to call additional witnesses to the extent that it is allowed by the City of Seattle Hearing Examiner Rules, and to call substitute witnesses if any of the witnesses identified above become unavailable.

#### II. EXHIBIT LIST

Appellant identifies the following exhibits it may use at the hearing in this matter:

- MHA FEIS and related Appendices, including the maps and analyses of the North Beacon Hill Neighborhood and Urban Village. See, e.g., Appendix H-55.
- 2. North Beacon Hill Neighborhood Plan, Comprehensive Plan (City of Seattle).
- 3. North Beacon Hill Neighborhood Plan (February 1999).
- 4. North Beacon Hill Neighborhood Plan Update (January 2010)
- 5. Seattle Transit Communities: Integrating Neighborhoods with Transit (Seattle Planning Commission, 2010).
- 6. North Beacon Hill Town Center Urban Design Framework (Seattle DPD, October 2011).

1	7. Aerial Photos
2	8. Maps, Including Draft Zoning Changes for North Beacon Hill Urban Village and North
3	Beacon Hill Town Center
4	9. Principles for MHA Implementation (City of Seattle)
5	
6	AIR/NOISE POLLUTION
7	10. Interstate 90 Traffic 120,000 vehicles per day. I-5 Traffic 250,00 vehicles per day. Annual
8	Traffic Report. Washington State Dept. of Transportation. 2016:
9	http://www.wsdot.wa.gov/mapsdata/travel/annualtrafficreport.htm
10	11. Mike Lindbloom. "Seattle is a world-class city – for traffic congestion" Seattle Times, 2-21-
11	17. https://www.seattletimes.com/seattle-news/transportation/seattle-is-a-world-class-city-for-
12	traffic-congestion/
13	12. Seattle-Tacoma International Airport 2016 Annual Activity Report. Port of Seattle, Airport
14	Statistics: https://public.tableau.com/profile/portofseattlebi#!/vizhome/Sea-
15	TacAirportActivityReportTP/Cover
16	13. Seattle-Tacoma International Airport Overall Runway Use Jan 1, 2011 – June 30, 2012. Port
17	of Seattle, Airport Noise, Runway Use Information:
18	https://www.portseattle.org/Environmental/Noise/Documents/RunwayOverviewJan_June
19	<u>2012.pdf</u>
20	14. Port of Seattle Flight Patterns: <a href="https://www.portseattle.org/Environmental/Noise/Noise-">https://www.portseattle.org/Environmental/Noise/Noise-</a>
21	Abatement/Pages/Flight-Patterns.aspx
22	15. Port of Seattle Flight Patterns Overlaid over Beacon Hill Neighborhood:
23	https://1drv.ms/f/s!AsxiHr7uaVr-oRct2Gdo6JR7tCul

1	16. Up to 75 dBA in the Draft Environmental Impact Statement (DEIS) for the 2035 Seattle:
2	Comp Plan for mid-BH. Table 3.3 – 2 page 3.3 -7
3	https://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web_informational/p2273574.p
4	<u>df</u>
5	17. Up to 82 dBA WWU & Cleveland High School Environmental Club 2-18-18 Noise
6	Measurement at Cleveland High School and Maple Elementary School:
7	https://1drv.ms/f/s!AsxiHr7uaVr-oRSjLhQHgp79rNEJ
8	18. 2014-2034 Port of Seattle Sustainable Airport Master Plan (SAMP) What's Coming?
9	(Increase in passengers and flights): <a href="https://www.portseattle.org/Business/Construction-">https://www.portseattle.org/Business/Construction-</a>
10	Projects/Airport-Projects/Pages/airport-master-plan.aspx
11	19. Century Agenda, Strategic Objectives, Port of Seattle, About the Port. April 2017 See
12	Strategic Objective 1: <a href="https://www.portseattle.org/About/Commission/Pages/Century-">https://www.portseattle.org/About/Commission/Pages/Century-</a>
13	<u>Agenda.aspx</u>
14	20. Air Toxics Fact Sheet. Puget Sound Clean Air Agency:
15	https://www.pscleanair.org/DocumentCenter/View/143
16	21. Outdoor (Ambient) Air Quality. Health of Washington State Report, Washington Dept. of
17	Health. Online. 2014: http://www.doh.wa.gov/Portals/1/Documents/1500/EH-AQ2014.pdf
18	22. Health Consultation: Summary of Results of Duwamish Valley Regional Modeling and
19	Health Risk Assessment. Washington State Dept. of Health 2008. Dept. of Health 2008:
20	https://www.atsdr.cdc.gov/HAC/pha/Duwamish_Valley/Duwamish_Valley_%20HC%207-
21	<u>14-2008.pdf</u>
22	
23	

1	23. Health Effect & Economic Impacts of Fine Particle Pollution in Washington, Publication 09-
2	02-21. Washington State Dept of Ecology, Air Quality Program. 2009:
3	https://fortress.wa.gov/ecy/publications/documents/0902021.pdf
4	24. Final Report: Integrated Science Assessment for particulate Matter. U.S. Dept of Ecology Air
5	Monitoring Network: https://cfpub.epa.gov/ncea/isa/recordisplay.cfm?deid=216546
6	25. Air Pollution and Your Health. Puget Sound Clean Air Agency:
7	http://www.pscleanair.org/airquality/airqualitybasics/health/Pages/default.aspx
8	26. Weisel, Clifford. Assessing Exposure to Air Toxics Relative to Asthma Environmental Health
9	Perspectives 10, Supplement 4 (August 2002): 527-535:
10	https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1241201/
11	27. Peden, David. Pollutants and Asthma: Role of Air Toxics. Environmental Health Perspectives
12	10, Supplement 4 (August 2002): 565-568:
13	https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1241207/
14	28. Study MOV-UP: Mobile Observations of Ultrafine Particles, University of Washington:
15	http://deohs.washington.edu/mov-up
16	29. EPA Awards UW \$3M grant to study links between pollution, heart disease:
17	https://www.seattletimes.com/seattle-news/health/epa-awards-uw-3-m-grant-to-study-links-
18	between-pollution-heart-disease/
19	30. Swift, H. A review of the Literature related to Potential Health Effects of Aircraft Noise,
20	Project 19 Final Report. Massachusetts Inst of Tech, The Partnership for Air Transportation
21	Noise & Emission Reduction: http://web.mit.edu/aeroastro/partner/reports/proj19/proj19-
22	healtheffectnoise.pdf
23	

1	31. Fox J, Morris L. A Summary of the Association Between Noise and Health. Washington State
2	Dept of Health (Feb 2017): http://sboh.wa.gov/Portals/7/Doc/Meetings/2017/03-08/Tab10b-
3	<u>LiteratureReview.pdf</u>
4	32. Burden of disease from environmental noise. World Health Organization, Quantifying
5	Environmental Impacts. (2011):
6	http://www.who.int/quantifying_ehimpacts/publications/e94888/en/
7	33. Residential exposure to aircraft noise and hospital admissions for cardiovascular diseases:
8	multi-airport retrospective study. Correia AW, Peters JL, Levy JL, Melly S, Dominici F, s.I.:
9	British Medical Journal, 2013, Vol 347 (1):f5561:
10	https://www.ncbi.nlm.nih.gov/pubmed/24103538
11	34. Health Effects of Noise Exposure in Children. Stansfeld S, Clark C.s.I.: Curr Environ Health
12	Rep, 2015, Vols. 2(2):171-178 <a href="https://www.ncbi.nlm.nih.gov/pubmed/26231366">https://www.ncbi.nlm.nih.gov/pubmed/26231366</a>
13	35. Sharp BH, Connor TL, McLaughlin D, Clark C, Stansfeld SA. Harvey J. Assessing Aircraft
14	Noise Conditions Affecting Student Learning, Volume 1: Final Report, National Academy of
15	Sciences, Transportation Research Board. 2014:
16	http://www.trb.org/main/blurbs/170328.aspx
17	36. Findings of the FICAN Pilot Study on the Relationship between Aircraft Noise Reduction and
18	Changes in Standardized Test Scores. Federal Interagency Committee on Aviation Noise. July
19	2007: <a href="https://fican1.files.wordpress.com/2015/10/findings_test_scores.pdf">https://fican1.files.wordpress.com/2015/10/findings_test_scores.pdf</a>
20	37. Race and Ethnicity in Beacon Hill Seattle Washington (Statistical Atlas based on Census
21	data): https://statisticalatlas.com/neighborhood/Washington/Seattle/Beacon-Hill/Race-and-
22	Ethnicity
23	

1	38. Presentation on "Equity mapping in Seattle and Beacon Hill" by Dr. Bill Daniell on June 6,
2	2017 at the Beacon Hill Council community meeting: <a href="https://ldrv.ms/f/s!AsxiHr7uaVr-">https://ldrv.ms/f/s!AsxiHr7uaVr-</a>
3	oRrx8BQD-jEln0Js
4	39. June 2016 Beacon Hill Neighborhood Survey Data Results documenting 60% concern over
5	"4. Public health impact of noise and airplane emissions":
6	http://www.northbeaconhillcouncil.org/bhcs-blog/archives/07-2016
7	40. July 16, 2016 Letter to Council re Air & Noise Pollution data from June 2016 Beacon Hill
8	Neighborhood Survey Results: <a href="http://www.northbeaconhillcouncil.org/bhcs-blog/archives/07-">http://www.northbeaconhillcouncil.org/bhcs-blog/archives/07-</a>
9	<u>2016</u>
10	41. February 17, 2017 Letter to Council re: HALA MHA which includes air and noise pollution
11	concerns. Online: <a href="https://ldrv.ms/f/s!AsxiHr7uaVr-oQ2ODQj791_i56wq">https://ldrv.ms/f/s!AsxiHr7uaVr-oQ2ODQj791_i56wq</a>
12	42. BHCS comments on the draft MHA EIS:
13	http://www.seattle.gov/Documents/Departments/HALA/Policy/MHA_FEIS/4-
14	5 CommentsG-M Marked MHA FEIS 2017.pdf
15	43. City of Seattle responses to BHCS comments on the draft MHA EIS:
16	http://www.seattle.gov/Documents/Departments/HALA/Policy/MHA_FEIS/4-
17	3 Written Comment Responses MHA FEIS 2017.pdf and
18	http://www.seattle.gov/Documents/Departments/HALA/Policy/MHA_FEIS/4-
19	2 Response to Frequent Comments MHA FEIS 2017.pdf
20	44. Dec. 2, 2017 El Centro EPA Air & Noise Pollution Health Impacts Project Community
21	Action Plan developed with input by 467 community participants:
22	https://1drv.ms/f/s!AsxiHr7uaVr-oRIMVQbJT09eJbt2
23	

1	45. March 2018 Change.org Petition to FAA & Congress for Beacon Hill Seattle: Airplane Noise
2	Reduction & Mitigation 1,260 supporters with 388 hard copy petition supporters Online:
3	https://www.change.org/p/el-centro-needs-your-help-with-our-petition-to-faa-congress-for-
4	beacon-hill-seattle-airplane-noise-reduction-mitigation
5	46. King County International Airport Master Plan Update:
6	http://www.kingcounty.gov/transportation/kcdot/Airport/Planning/master-plan-
7	update.aspx_and https://kingcountyairportblog.com/2016/09/29/master-plan-update-open-
8	house-gets-conversations-going/
9	
10	HISTORIC RESOURCES
11	47. North Beacon Hill Historic Context Statement, City of Seattle Department of
12	Neighborhoods (May 2004):
13	http://www.seattle.gov/Documents/Departments/Neighborhoods/HistoricPreservation/Hist
14	oricResourcesSurvey/context-beacon-hill.pdf.
15	48. North Beacon Hill Historic Resources Survey Database (City of Seattle):
16	http://web6.seattle.gov/DPD/HistoricalSite/QueryResults.aspx?QRY=ATTR&YEBUS=&
17	YEBUE=&ST=&NE=North+Beacon+Hill&AR=
18	49. Beacon Hill Historic Resources Survey Database (City of Seattle):
19	http://web6.seattle.gov/DPD/HistoricalSite/QueryResults.aspx?QRY=ATTR&YEBUS=&
20	YEBUE=&ST=&NE=Beacon+Hill&AR=
21	50. "Seattle's Beacon Hill", Images of America series, Arcadia Publishing, 12/9/2003. ISBN:
22	9789738528618. https://www.arcadiapublishing.com/Products/9780738528618.
23	

1	DISPLACEMENT
2	51. "Beacon Hill Community Rallies to Denounce Esther Little Dove Johns Displacement",
3	South Seattle Emerald, Oct. 28, 2017: https://southseattleemerald.com/2017/10/28/beacon-
4	hill-community-rallies-to-denounce-esther-little-dove-johns-displacement/.
5	52. Beacon Hill Neighborhood Survey Results, 7/28/2016:
6	http://www.northbeaconhillcouncil.org/bhcs-blog/beacon-hill-neighborhood-survey-results
7	
8	TRANSPORTATION/NEIGHBORHOOD PLAN
9	53. "North Beacon Hill Neighborhood Plan Update Recommendations to City Council",
10	January 2010:
11	http://www.seattle.gov/dpd/cityplanning/vault/cs/groups/pan/@pan/documents/web_infor
12	mational/s048255.pdf
13	54. North Beacon Hill Urban Design Framework, October 2011:
14	http://www.seattle.gov/dpd/cityplanning/vault/cs/groups/pan/@pan/documents/web_infor
15	mational/s048255.pdf
16	55. Beacon Hill Neighborhood Survey Results, 7/28/2016:
17	http://www.northbeaconhillcouncil.org/bhcs-blog/beacon-hill-neighborhood-survey-results
18	56. North Beacon Hill zoning and land use amendments approved by Seattle City Council:
19	http://clerk.seattle.gov/~scripts/nph-
20	<u>brs.exe?s3=&amp;s4=123852&amp;s5=&amp;s1=&amp;s2=&amp;S6=&amp;Sect4=AND&amp;l=0&amp;Sect2=THESON&amp;Se</u>
21	ct3=PLURON&Sect5=CBORY&Sect6=HITOFF&d=ORDF&p=1&u=%2F~public%2Fcb
22	<u>or1.htm&amp;r=1&amp;f=G</u> .
23	

In addition to the exhibits identified above, appellant reserves the right to introduce exhibits 2 identified by any other party, demonstrative exhibits revealed prior to the hearing, additional exhibits 3 as allowed by the City of Seattle Hearing Examiner Rules, and to introduce additional exhibits during cross-examination or rebuttal. 4 5 In addition, discovery is ongoing and Appellant BHCS recently received an extensive 6 production of thousands of documents from the Respondent, and has yet to receive interrogatory 7 responses or specifications of the documents that pertain to each Request For Production. Appellant 8 requires additional time to review this voluminous discovery, which may lead to the identification of 9 additional witnesses and exhibits. 10 11 12 DATED: April 2, 2018 at Seattle, WA. 13 BEACON HILL COUNCIL OF SEATTLE 14 15 By Mira Latoszek, Representative for BHCS 16 17 18 19 20 21 22 23