BEFORE THE HEARING EXAMINER FOR THURSTON COUNTY

In the Matter of the Application of

MAYTOWN SAND AND GRAVEL, LLC

SUP No. 02-0612

Mitigated Determination of Non-Significance of SUP 02-0612

No. 2010101170

FRIENDS OF ROCKY PRAIRIE’S WITNESS LIST FOR SUP AMENDMENT AND SEPA APPEAL OF SUP NO. 02-0612

I. Witness List

Friends of Rocky Prairie submits this witness and exhibit list pursuant to the Second Pre-Hearing Order. This list includes all potential witnesses. It is unlikely that FORP will call all of these witnesses, but to accommodate the Hearing Examiner’s request to make the list as complete as possible all potential witnesses were listed.

1. Pat Dunn
2. Cindy Wilson
3. Joe Arnett
4. Ann Potter
II. Exhibit List

Sections of Habitat Management Plan, ELS, for original 2005 permit
Environmental Checklist for original 2005 permit
Tom Bjorgen letters of March 16, '09, March 23, '09, May 19, '09
BHAS letter to county Feb 8, 2010
Eric Erler letter to Mike Kain, Dec. 5, 2010
Pat Dunn, TNC, letter of October 6, 2010
Chehalis Tribes letter to Mike Kain re Amendments/Seepa, 1/10/11
Portions of Purchase and Sale agreement between MSG and Port of Tacoma
Portions of Assignment and Conveyance agreement between MSG and Port of Tacoma

FORP EXHIBIT AND WITNESS LIST
John Wolfe memo 2/29/08 – “Next Steps
Jay Stewart to Rob Collins memo 2/28/08
Heartland study of uses for Maytown site
Memo of Understanding, Port of Olympia and Port of Tacoma, re Maytown site
Interlocal Agreement between Port of Olympia and Port of Tacoma re Maytown site
FORP’s October 8, 2010 comments on MDNS and Amendments
FORP’s January 10, 2011 SEPA/Amendment comments
FORP’s February 2 SEPA comments
Exhibit mm from 5-year review, DFW letter of 11/24
County Chronology of Mining
HDR Conceptual Design for Maytown site, July, 2006
MSG letter to County of August 24, 2010, including SEPA Checklist for Requested Amendments to MDNS Conditions 5, 6A and 6C
Port of Tacoma site plans for Maytown, April 3, 2007
Washington Native Plant Society letter to Mike Kain, October 5, 2010
WDFW personnel, McCallister and Potter, re limited site access (7/27/2010)
Sections of SUP Plan portion of Real Estate Agreement between MSG and Port of Tacoma
Tony Kantas memo to Sharron Coontz, 10/17/08
Letter from Robert Goodstein to Port of Tacoma and Port of Olympia, 9/28/08
Memos from Rob Collins, Port of Tacoma, June 15, 2007 (2), and June 18, 2007
Letter from BHAS to Mike Kain, October 12, 2010
Letter from BHAS attorney Lowney to Mike Kain, May 24, 2010
Maps of Millersylvania State Park expansion and planned development
Port of Tacoma letter to County, January 4, 2010
Email from Elizabeth Rodrick, DFW, re butterfly survey, July 5, 2009
DFW summary of field visit to Port property, David Hays, with maps
Letter to Tony Kantas from Foster Pepper, October 22, 2008
Letter to Jeff Fancher from Foster Pepper, November 2008

This list represents a good faith effort to identify all documents and witnesses that FORP will rely upon at the hearing. However, FORP reserves the right to call additional witnesses and/or submit additional exhibits depending on evidence and testimony offered during the hearing. Additionally, FORP reserves the right to call witnesses or offer exhibits in rebuttal to testimony or exhibits not disclosed by the Port of Tacoma or Maytown Sand and Gravel.

Dated this 2\textsuperscript{nd} day of March 2011.

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The Law Offices of M. Patrick Williams
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FORP EXHIBIT AND WITNESS LIST

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