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January 7, 2021

BY EMAIL TO THE CITY CLERK

John E. Galt
City of Mercer Island Hearing Examiner
c/o Mercer Island City Clerk
9611 SE 36th Street
Mercer Island, WA 98040

Re: ***Sound Transit's Request for a Prehearing Conference***

Dear Mr. Galt:

I submit this letter on behalf of Sound Transit, which on Tuesday, January 5, 2021, submitted its Appeal of Conditions of Approval that the City imposed on Right-of-Way Permit No. 2010-186 and certain related permits the City approved at the same time. We understand that this appeal will be transmitted to you within three business days of receipt by the City.

Sound Transit requests that the Hearing Examiner schedule a prehearing conference as soon as practicable. Sound Transit makes this request pursuant to MICC 3.40.070.A and section 208 of the Hearing Examiner's Rules of Procedure. In the words of section 208(b), this appeal is of "major community interest" because the City's decision imperils the timely completion of the East Link light rail project, an essential public facility as defined by the Growth Management Act. In addition, a prehearing conference is "paramount to an expeditious proceeding," particularly since the hearing will require testimony from multiple witnesses and presumably must be conducted virtually, which will require additional preparation and coordination by the parties.

Thank you for your attention to this request.

Sincerely,

FOSTER GARVEY PC

/s/ Patrick J. Schneider
Patrick J. Schneider
Principal

cc: Bio Park, City Attorney
Stephen G. Sheehy, Managing Legal Counsel, Sound Transit

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