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THE HONORABLE IRA UHRIG

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF WHATCOM

THE CITY OF BELLINGHAM, )  
)  
Plaintiff, )  
)  
v. )

No. 06-2-01918-7

PEOPLE FOR A HEALTHY BAY, a )  
political committee; ANNA HALL- EVANS )  
Committee Chair; FRANCES BADGETT, )  
Secretary; ELIZABETH BRITT, )  
Treasurer; PATTY BEAN, Campaign )  
Manager; LISA MCSHANE, Officer; )  
MARISSA ROSATI, Officer; MITCH )  
FRIEDMAN, Officer, )  
)  
Defendants, )  
)  
v. )

SECOND DECLARATION OF  
MICHAEL G. STONER

PORT OF BELLINGHAM, a )  
Washington Municipal Corporation; )  
STATE OF WASHINGTON Department )  
of Natural Resources; STATE OF )  
WASHINGTON, Department of Ecology; )  
GEORGIA-PACIFIC WEST, INC., an )  
Oregon Corporation; GEORGIA-PACIFIC )  
CORPORATION, a Georgia Corporation, )  
)  
Potentially Interested )  
Party Defendants. )  
)

SECOND DECLARATION OF  
MICHAEL G. STONER - 1

**CHMELIK SITKIN & DAVIS** P.S.  
ATTORNEYS AT LAW

1500 Railroad Avenue Bellingham, Washington 98225  
phone 360.671.1796 • fax 360.671.3781

1  
2 I, MICHAEL G. STONER, under penalty of perjury under the laws of the State of  
3 Washington, state the following:

4 **I. PROFESSIONAL BACKGROUND AND EXPERIENCE**

5 1. I am the Director of Environmental Programs for the Port of Bellingham (the  
6 "Port"). I have managed environmental programs for the Port since 1995. My  
7 responsibilities at the Port include the cleanup of historically contaminated sites, evaluation  
8 of environmental impacts for new projects, management of pollution prevention and  
9 environmental compliance and awareness programs.

10 2. Prior to taking a position at the Port in 1995, I worked for EPA as a site  
11 manager responsible for the cleanup of waterfront sites in Seattle's Elliott Bay, Tacoma's  
12 Commencement Bay and Eagle Harbor on Bainbridge Island.

13 **II. DRAFT REMEDIATION INVESTIGATION / FEASABILITY STUDY FOR THE**  
14 **WHATCOM WATERWAY SITE**

15 3. The Model Toxic Control Act ("MTCA") requires the Department of Ecology  
16 to release for public and government comment a draft Remedial Investigation/Feasability  
17 Study (the "RI/FS"). The draft RI/FS for the Whatcom Waterway Site is scheduled for  
18 Ecology release on or about September 21, 2006. The latest version of the draft RI/FS for  
19 the Whatcom Waterway Site is attached hereto as Exhibit A.

20 **III. DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR THE**  
21 **WHATCOM WATERWAY SITE**

22 4. In parallel with the release for public and government comment of the draft  
23 RI/FS, the draft Supplemental Environmental Impact Statement ("EIS") for the Whatcom  
24 Waterway Site will be released for public comment. The EIS evaluates environmental  
25 impacts of the evaluated remediation alternatives, consistent with the requirements of the

SECOND DECLARATION OF  
MICHAEL G. STONER – 2


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Sediment Management Standards (SMS) and the State Environmental Policy Act (SEPA).

The EIS also evaluates the RI/FS alternatives against the goals of the Bellingham Bay Demonstration Pilot. The draft EIS is scheduled for Ecology release on or about September 21, 2006 in parallel with the RI/FS. The latest draft of EIS document is attached hereto as Exhibit B.

Dated this 31<sup>st</sup> day of August, 2006, at Bellingham, Washington.



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MICHAEL G. STONER  
Director of Environmental Programs  
Port of Bellingham

F:\PORT BELLINGHAM\NEW WHATCOM SUBAREA\Healthy Bay Initiative Lawsuit\Pleadings\Declaration Second\_Stoner(2) FINAL 08-31-06 doc(JLL)

SECOND DECLARATION OF  
MICHAEL G. STONER - 3

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