

Larry, hope you're enjoying the dessert!

Matthys van Leeuwen emailed me a copy of Mathew Adams' memo today dated January 18. In case you already have a copy, there are several points that I think require some further research and possibly you could forward him my comments about the following:

The definition of "noise sensitive areas" is contained in Order 1050.1 (7/15), section 11.2.(page 11-7). According to this definition, Seahurst is not in a "noise sensitive area" since the noise contours in Sea-Tac's Part 150 demonstrate that Seahurst is probably located in the 50-55 dBA or less, not at or greater than the requisite 65 dBA. This definition correlates with Mathew Adams' assertion on bottom page 2 that an EA is required when flights occur over "noise sensitive areas." Since Seahurst is not located in a "noise sensitive area", this condition would not apply and an EA unnecessary.

On page 4 of Matthew's memo, he mentions compliance with the National Historic Preservation Act; and he is correct for properties within a "noise sensitive area" of 65 dBA or greater. Boeing Field's 65 dBA contained many historic properties and it was my responsibility to comply with Section 106 of this Act, so I am very familiar with those regulations and it is not necessary to inventory historic properties affected by aircraft noise unless they are in a noise contour of 65 dBA or greater.

Please ask your legal counsel to confirm these points because, as I mentioned in our earlier conversations, meeting the 65 dBA decibel level is a critical feature of any analysis.

On another note, if you have a flight profile (showing its vertical attributes) of the "new route" a large graphic illustrating how it is different than those flight tracks already noise modeled in compliance with FAA's INM (integrated noise modeling) requirements could assist making the case of differentiating distinctions between what has been exposed previously and what is occurring now over Seahurst.

I did contact a noise modeler on Monday and we discussed the issues involved and he told me that he would get back to me and I haven't heard anything from him yet.

Confidential--Issues Concerning Litigation**From :** Sharyn Parker <sparkerward@comcast.net>

Wed, Jan 11, 2017 07:33 PM

Subject : Confidential--Issues Concerning Litigation

5 attachments

To : Lisa Marshall <lsam@burienwa.gov>, Tony Piasecki <tonyp@burienwa.gov>

Good evening,

Since I first read in the Burien Blog that Quieter Skies was forming a coalition and I subsequently applied to be a member of the Airport Committee, I began researching the Coalition's claims and their strategy (albeit briefly and possibly erroneously described in the Blog). I don't pretend to know any details of their plans, but I have read and copied parts of Sea-Tac's Part 150 Study (adopted by FAA in 2014) that I believe are germane to their proposed litigation. The Blog described the Coalition's legal intentions were to challenge FAA Air Traffic Controllers failure to conduct an EIS (same discipline as a SEPA/NEPA) over Seahurst and White Center prior to turboprop and jet flights began flying this summer.

As a member of Sea-Tac's Part 150 Study's Technical Review Committee, I closely followed the development and hearings for this Study.

Acknowledging my gap of knowledge about actual plans for litigation, I'm conjecturing that members of the Coalition may not have participated in the Part 150 Study after it began in 2013 and they may have recently outlined a strategy that does not conform to the contents of this multi-million dollar and multi-year Study. In addition, the Coalition's case--that an absence of an EIS for new flights over these neighborhoods provides justification for legal redress--may be nullified given the documents I've included in this email. What I have enclosed are excerpts of the Part 150 Study that shed light on several points:

Attachment 1 - FINAL SEPA DETERMINATION OF NON-SIGNIFICANCE OF PROPOSED ACTION of Sea-Tac's Part 150 in its totality dated 8-28-2013. The same discipline that exists for an EIS is covered by SEPA/NEPA analyses and possibly negates the necessity of an EIS.

Attachment 2 - Flight tracks for future actions (2013-2021) that demonstrate noise modeled flights over Seahurst and White Center, suggesting that these are not "new", but possibly modified flights.

Attachment 3 - Table G-2 Future NEM (Noise Exposure Map) listing all types of aircraft, including turboprops and jets during daytime and nighttime hours that re-enforce the idea that these flights were anticipated, and now approved.

Attachment 4 - Noise Exposure Map (NEM) for Sea-Tac 2021 that depicts the noise contours from 65-75 dB DNL*. The importance of this map is that no residences below 65 dB DNL are eligible for noise mitigation according to FAA regulations; and neither Seahurst or White Center are within the 65 dB DNL or greater noise contours (or most of Burien for that matter); and therefore are ineligible for noise mitigation funded by FAA.

Attachment 5 - Membership of the TRC (Technical Review Committee) which included representatives from the City of Burien.

Of course I don't know whether these questions have already been raised and resolved; if not, the Coalition's ligation strategy (or what I know of it) maybe flawed since I believe FAA will claim that the recent adoption of the Part 150 Study that extends until 2021 more than suffices to meet the criteria of an EIS.

The day after the January 9th hearing, I watched the entire Burien Council meeting and listened to the testimony provided by residents and the Coalition and learned that "partnership" questions would resume on January 23. Since both of you have been involved in confidential meetings on this topic, I wanted to share and/or discuss these points since they may shed light on the question of Burien's involvement as a partner for funding litigation. This isn't to say that there maybe other legitimate legal issues to pursue.

Thanks for your consideration,
Sharyn Parker

*Day-night average sound level (DNL). The 24-hour average sound level, in decibels, for the period from midnight to midnight, obtained after the addition of ten decibels to sound levels for the periods between midnight and 7 a.m., and between 10 p.m., and midnight, local time.

Part150_SEPA_FinalDetermination_SIGNED.pdf

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Sea-Tac Noise Exposure Map (NEM) 001.jpg
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Future Turboprops from Part 150 001.jpg
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Future NEM 2021 001.jpg
823 KB



Part 150 Technical Review Committee 001.jpg
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