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2/19/2024 3:34 PM

ESSB 5955 - Local Government Hearing on 2/20/24

To Keiser, Sen. Karen <karen.keiser@leg.wa.gov> • Orwall, Rep. Tina <tina.orwall@leg.wa.gov> Copy
Mary Soderlind <mary.soderlind@leg.wa.gov> Blind copy Sheila Brush <shebrush@gmail.com>

Good afternoon,

Today, I emailed all the representatives on the list that Mary emailed us last week with the following letter:

Thank you for the opportunity to comment on ESSB 5955 that is before the House Local Government Committee tomorrow morning. My name is Sharyn Parker and I am the retired Noise Officer at King County International Airport at Boeing Field for 14 years where I managed their Sound Insulation Program from its inception in 2009 to its completion, and my retirement in 2015. After retirement, I volunteered on the City of Burien's Airport Committee for four years and became familiar with SeaTac's program and how many Burien residents still are waiting for resolution of problems because of inferior products and/or poor installation of their windows by some contractors.

In the six years of KCIA's program, we sound insulated 609 homes, 25 of which were considered "historic." All our written materials, including contracts with homeowners, were translated into languages reflected by residents that included Tagalog (Philippines), Mandarin and Canton Chinese, Japanese, Spanish, Vietnamese, Laotian, Khmer (Cambodia) which are prevalent in Beacon Hill and Georgetown in Seattle, and parts of Tukwila where our noise boundary extended.

Despite many problems with contractors and a failed window manufacturer during the early stages of its implementing their Sound Insulation Program at SeaTac Airport, I am confident that it is now using state-of-the-art ventilation along with triple-pane windows, with attic insulation, and have improved their bidding practices to avoid the pitfalls of their early program administration.

Homeowners who qualified for sound insulation program "packages" during the 80s and 90s--because they resided inside an FAA-approved boundary--however, have waited decades for remediation of the problems encountered by the Port in its initial phases; and this legislation addresses concerns from homeowners who have waited and waited to have these issues resolved.

Please give ESSB 5955 a do-pass recommendation and I encourage the bill sponsors to keep involved with this legislation's implementation.

Sincerely,
Burien Resident, Sharyn Parker

I truly hope this legislation is successful!

House Local Government Committee members

Name

Email

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SHARYN PARKER <sparkerward@comcast.net>

2/12/2024 7:06 PM

Public Comment re: Proposed Order for a Pilot Program for Sound Insulation Repair and Replacement

To commission-public-records@portseattle.org <commission-public-records@portseattle.org> Blind copy
Sheila Brush <shebrush@gmail.com> • JC Harris <jcharris@desmoineswa.gov>

It's regrettable that I have a previously scheduled surgical appointment today at exactly the same time as your meeting; but thank you for the opportunity to comment on this proposal. My name is Sharyn Parker, Retired Noise Officer and Sound Insulation Program Manager, at King County International Airport at Boeing Field (KCIA) for 14 years (2001-2015). Also, as Secretary of the Quiet Skies Coalition formerly of Burien and the City of Burien's Airport Committee for four years, I have studied the Port's procedures and processes for many years. In my previous capacity at KCIA, I also reviewed the operating procedures for sound insulation programs from 27 airports across the country since KCIA became one of the last sound insulation programs developed.

Below are my comments specific to this proposal:

1. The timelines outlined are unrealistic since the deadline of the end of this year includes discovery of the numbers of affected residences, evaluation of causes of equipment failure, bidding for qualified contractors, as well as attempts to secure funding sources. Also, translation services are very expensive, but provide confidence to homeowners that their legal rights and conditions of comfort during construction in their homes is a high priority.
2. Will FAA guidelines regarding eligibility be followed? If FAA funds are assumed to be a federal source, for example, environmental issues dominate FAA's AIP grant funding qualifications, but they could become "lost" using Equity, Diversity, and Inclusion criteria. In recent months, these ED&I offices and efforts have become very controversial and some dismantled. Homeowners waiting over two decades--nearly three--would again be subject to untenable delays with compromised health outcomes if a question of legitimacy and/or conflict of regulations occur.
3. Do expectant homeowners (who have already testified in support of a repair and replacement program for sound insulation purposes before legislative committees) understand what's contained in the "equity index database" and how that might affect eligibility for funding? If not, a rigorous public outreach program will be necessary to advise these homeowners of another layer of bureaucracy that they and their homes will be subject to. Add this item to the list of administrative issues that will take time and financing.
4. The facts and the real history of the Port's early sound insulation program as related in "Statements in Support of the Order" do not align because it is well documented that in the mid-90s the WSDOT and PSRC empaneled an Expert Arbitration Panel Review of Noise and Demand/System Management and further issued a final report on March 12, 1996. Among their many criticisms of the Port's management of its sound insulation program included the following:

"Had the Port accelerated the program three years sooner, in mid-1990, an additional 4,000 homes could have been insulated by now. Doing so would have more than doubled the number of homes insulated by December 1995...Instead of a Residential Insulation Program one-third completed, the Port would have presented this Panel with an important mitigation program that was approximately 75% completed. We also note that that the residents of those homes would have received the benefits sooner and would be enjoying them today." Page 28 of 50.

"We have nevertheless concluded, on the basis of all the evidence before us, that the ultimate results of these (sound insulation) efforts, in terms of real on-the-ground impacts for the communities affected by Airport noise have not been sufficient to satisfy Resolution A-93-03 (a requirement for permitting **a third runway**). Many people at the Port, including its noise consultants, have labored long and hard to develop and implement abatement and mitigation programs; substantial resources have been dedicated to the effort; yet many people in the Region remain severely impacted by airport noise." Page 32 of 50. (Emphasis added.)

And on page 36 of 50, the final report further states: "On the mitigation side, the single-family residential insulation program could have been accelerated earlier, as we have previously discussed and the public buildings and multi-family residential insulation programs could have been pursued much more vigorously. In light of the Port's lack of progress on insulation projects after construction of the **second** runway, we believe it would have been in the Port's best interest to move as decisively as possible in carrying out its commitments under the 1990 Noise Mitigation Agreement." (Emphasis added.)

5. Contrary to the impression that airports eagerly emulated the Port's "pioneering" sound insulation program, it is true that the 1980s witnessed a peak wave of airports deciding to undertake sound insulation programs because large expansion projects at these same airports were underway and these programs were matched with federal funds to mitigate public demand surrounding increased airport operations and infrastructure expansions.

The Port's model (known as the single-parcel method) was not duplicated except in tiny programs of less than a couple dozen homes. Most airports favored different models, one of which KCIA used, that bundled construction bids of 10-20 homes by a single contractor.* Whereas, many of the remaining issues resulting in failed sound insulation windows, doors, and attic insulation equipment was because the Port provided homeowners with a list of contractors that homeowners could choose from. The results were as varied and inconsistent as the number of contractors the Port listed. Furthermore, the Port's vendor for windows went bankrupt and its efforts to remedy the inconsistent workmanship of the contractors remains a prominent cause of equipment failure today.

Whenever governments commit to programs that involve **working inside people's own homes while they are still living there**, requires a level of trust and accommodation, and superior due diligence. I caution the Port to create a feedback mechanism where homeowners are able to regain trust over what is widely considered a failure to communicate with local communities given the trials of its earliest program. (Emphasis added.)

**KCIA mitigated 609 homes in six years, inclusive of \$45 million of FAA funding, creation of procedures, purchasing and procurement regulations, legal and translation services.*

Sharyn Parker

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AN ORDER OF THE PORT OF SEATTLE COMMISSION

...setting a timeline for the completion of the assessment of prior sound insulated properties; creating a Sound Insulation Repair and Replacement Pilot Program; and setting equity guidelines for this program.

**PROPOSED
FEBRUARY 13, 2024**

TEXT OF THE ORDER

The Port Commission hereby orders an assessment regarding the effectiveness of previously installed Port of Seattle funded noise insulation packages be conducted and concluded by the end of the year 2024. The assessment will involve extensive outreach, collection of information from property owners and analysis of that information. Results of that assessment shall be delivered to the Commission by January 21, 2025.

The Commission also directs the establishment of a "Sound Insulation Repair and Replacement Pilot Program" at the Port of Seattle to identify the issues involved in the repair and re-insulation for prioritized homes. Effective immediately, the Commission authorizes an initial commitment of \$5 million dollars for this program. The Port will seek state matching funds and federal grant funding (if available) as well.

The Port shall use its equity index or other data-driven tool developed by the Port's Office of Equity, Diversity, and Inclusion, as well as other program criteria to identify and prioritize properties that will be part of this limited pilot program. The equity index shall help determine who should receive priority consideration for repair and/or replacement of their noise insulation during the pilot.

Upon the completion of the pilot program, a comprehensive report shall be presented to Commissioners, Washington State and Federal Legislators for evaluation and further action.

STATEMENT IN SUPPORT OF THE ORDER

In the 1980s the Port of Seattle pioneered a type of residential aircraft noise insulation program that was later implemented at many other U.S. airports. The Port has recently expedited efforts to insulate various types of residences and places of worship that are eligible under Federal Aviation Administration guidelines but have not yet received noise insulation.

Commissioners routinely hear from constituents that due to several factors, including the age and durability of sound insulation installed several decades ago, some of the Port funded sound

46 insulation packages may no longer be effective. In response to these community concerns and
47 federal noise mandates, this pilot includes an assessment regarding insulation packages paid for
48 by the Port. The Port has not yet identified the number of residents who may have packages not
49 meeting noise standards and in need of repair, which this Order also intends to rectify.

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51 Both past and present members of the Port's federal legislative delegation have made efforts to
52 secure federal funds for noise insulation in the communities surrounding SEA. The Port has also
53 supported/advocated for legislative changes to address the issue of re-insulation. Since 1985, the
54 Port's sound insulation program has reached out to every single homeowner within the relevant
55 65 DNL noise contour and provided sound insulation to over 9000 homes. There are currently
56 approximately 100 homes that have not received packages for a variety of reasons. Additionally,
57 the program is currently providing insulation to apartment buildings, condominiums and places
58 of worship. The Port is committed to completing the insulation of the currently eligible buildings
59 while concurrently making progress to identify, evaluate, and repair packages that may be in
60 need of this work. This Order intends to pilot a solution so that the Port of Seattle can continue to
61 lead the nation in resolving this issue.

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63 This Order seeks to start a process that will, in a deliberate, equitable, and prioritized fashion,
64 provide Port funding to assist in the repair and replacement of eligible noise insulation.

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