

# StART Options



# “History”

- Burien, Des Moines, and Federal Way “suspend” StART participation in summer 2019 because:
  - Port made decisions to expend resources (\$10M) on design work for the SAMP prior to completion of environmental review with little/no discussion with communities, despite communities having expressed significant concerns about the SAMP
  - Port conduct of meetings – from facilitation to willingness to address real questions to mis-representation of community members’ points of view creates a “dis-trusting” environment
  - City community members are frustrated that their time is being wasted and that they are being “used” to justify Port actions (or inactions)



## Quote from David Goebel (Vashon) of Sept 2018 StART Meeting

- “Even when very specific technical questions have been asked, they are often simply ignored by the FAA representatives who are in a position to provide answers but choose not to. One is left with the clear impression that the FAA & Port’s goal with these meetings is to help people come to accept their miserable lot in life under increasingly oppressive flight paths while the goal of most of the community members is to try and do something to improve the situation in a real and material way.”



# Current Situation

- City of Des Moines Council has decided to re-join StART with three conditions – 1) Cities have input into the agenda, 2) Agendas are released 10 days ahead of meetings, and 3) They will re-examine their participation in early 2021
- City of Federal Way is waiting to see what action City of Burien takes
- Two recent actions have indicated potential additional concerns with StART:
  - The FAA Ombudsperson (designated under 2018 FAA Re-Authorization) has indicated an unwillingness to meet with our community/city except through StART. This was not the intent of the position.
  - Our ability to communicate with the GAO study on “next-gen” appears to be usurped by StART – rather than us having a direct link as a community to the GAO representatives (The Port wants names of our representatives).

<https://crosscut.com/2013/01/faa-greener-skies-quieter-skies-beacon-hill-jet-no>) that reveals his perception of FAA's strategy to downplay the effects of implementing Greener Skies/NextGen flights to affected neighborhoods, such as Beacon Hill:

Paragraph 4 of article: "FAA officials contend that the additional noise impacts will be "indistinguishable," less than 1.5 decibels more than present levels."

**FACT:** FAA and SEA already knew that areas of Beacon Hill exceeded the 65 dB DNL from the combined noise contours included in KCIA's Part 150 Study that occurred over a decade earlier.

Paragraph 8 of article: "FAA and Sea-Tac officials though, say volumes and noise impacts have actually declined in recent years, thanks to the recession and to the airlines flying quieter jets." This is a common refrain from local FAA and SEA officials that demonstrates their willingness to collaborate on misinforming the public<sup>5</sup>. Note also the quote on the bottom of page 4, where Stan Shepherd, Noise Manager at SEA, says "Boeing Field noise is not considered in our (noise impact) Part 150 calculations." More "cover" from SEA to downplay growing amounts of noise and emissions over Beacon Hill residents.

FAA controls all United States national airspace regardless of airport of origin. Why would FAA not insist that all Sea-Tac flights be measured as part of the noise modeling for Greener Skies/NextGen? To the population hearing aircraft noise on the ground, the type of flight (RNP or otherwise) is indistinguishable.

## **CONCLUSION**

This submission serves as a compilation of research and documentation collected and being submitted to the General Accounting Office (GAO) in response to their interviews during the third week of August 2020 inquiring about public outreach conducted by the FAA as it relates to "Community Impacts from NextGen Noise Questions for Community Groups."

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**Editorial Note:** While the GAO's emphasis in this endeavor is narrowly focused on public outreach related to the NextGen program known by many labels, the circumstances of interaction described between FAA and SEA in just one case study is only one example. Quiet Skis Coalitions from nearby communities could expand and describe other examples where the relationship between these two agencies could be described as conjoined twins. Because their relationship is so cozy and symbiotic, a profile of decision-making on critical health and environmental issues merge, and it's difficult for the public to discern where one agency begins and the other ends. However, the overall perception is that FAA is not fulfilling its regulatory, oversight role to insure accountability from SEA; but rather FAA acquiesces to SEA too often to the detriment of the public that they are both mandated to serve.



# Implications

- While StART presents an opportunity for the Port, FAA, airlines, and communities to come together and discuss issues, our voices and concerns appear to be “managed” by the Port and their interests.
- The communities do not have a voice except as filtered through the Port
- What will it take to ensure that our concerns are heard?

**2002 ROA included the following language which is still pertinent.” “The Port is responsible for initiating coordination with the FAA and airlines on evaluating potential new FMS procedures. The FAA will work with the Port and airlines to determine if any other FMS procedures are feasible and would provide noise mitigation. The NCP analysis and preliminary FAA evaluation determined that FMS procedures and corridors recommended in the NCP were not feasible and could severely impact on airspace capacity in the area. Approval of this measure does not commit the FAA to implementing new procedures.”** (Highlighting added for emphasis.)

Why didn't FAA exercise its regulatory oversight by following-up with SEA on its commitment for noise mitigation of areas affected by Greener Skies/NextGen? Why weren't residents informed of their eligibility for sound insulation consistent with the substance of FAA's "Determination" stated above?

Is the FAA's "Determination" an indictment of the failings of the FMS (aka NextGen) flight procedures used over Beacon Hill, Vashon, and North Seattle since they were initially promoted to reduce fuel, noise, and emissions to gain more flight efficiency? At least one group known as Aviation Impact Reform thought so and posted on December 11, 2017, that the Greener Skies Program (NextGen) was an "Environmental Fraud" (<http://aireform.com/faa-industrys-own-data-exposes....>). On page 5 of 8 of their report, Aviation Impact Reform concludes:

"B. A full five years after the FONSI signoff, FAA's controllers at Seattle TRACON are not even using the RNP procedure down the center of Elliott Bay that was the key component of Greener Skies, the one element supposed to enable the bulk of the environmental benefits. It is as if the entire Greener Skies public engagement process was just an exercise in propaganda."

On page 7 of 8 of the report, Aviation Impact Reform summarizes their position based upon several tables contrasting actual and Greener Skies' fuel consumption contained in their report:

"Greener Skies was (and still is) both a fraud and a side-show 'act', using erroneous estimates while pretending to create benefits that **STILL** do not exist! And the impacts, using the questionable numbers provided by PoS/FAA are astounding; they are saying, in 2014, **arrivals to Sea-Tac consumed 2.6 million pounds of jetfuel PER DAY while on approach**, creating noise and air pollution that we are all supposed to ignore."

**3. As a result of FAA and SEA's failure to acknowledge decibel level increases since they approved Part 150 Studies from both SEA and KCIA, public outreach on Beacon Hill was denied. FAA intentionally avoided public outreach in the most densely populated segment of the Greener Skies Program/NextGen route.**

**Personal Testimonial from Seattle Resident about Greener Skies/NextGen** (Reference article<sup>4</sup> by Eric Seigliano, dated January 13, 2013 published by Crosscut,

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<sup>4</sup> This article was written in 2013, after the national recession had ended; and after Sea-Tac's 2013-2018 Part 150 Study flight projections were published, that curiously under-estimated by about 33% actual flights above their Study's so-called flight projections for 2013-2018.

# Options

1. Return to StART, accepting the answers/conditions offered by the Port
2. Return to StART – asking for same conditions as Des Moines
3. Return to StART with additional conditions
4. Do not return to StART

**Note:** returning to StART means identifying appropriate and willing community members to participate.

its high national rank of “busyness.” Instead, the BAC was informed in September 2017 by Stan Shepherd, Noise Manager of SEA, that there were no plans to update Part 150 until AFTER the Sustainable Airport Master Plan (SAMP) which is scheduled for completion, or under construction by 2027. Since approval of a Part 150 Study would occur no earlier than a couple years after initiation, and allowing for another year for FAA approval, it’s foreseeable that mitigation of qualified homes from increased noise from 2013 and beyond would be stalled until 2030 at the earliest!

It’s important to note that despite FAA’s approval of SEA’s 2013-2018 Part 150 Study in June 2014, SEA did not hire a contractor to begin sound insulation retrofitting of qualified homes until late Fall 2018! Hundreds of homes still have not been mitigated for the third runway’s installation that occurred in 2008. Consequently, SEA’s public outreach concerning outstanding mitigation directed at residents appears non-existent! Furthermore, no mitigation is even being considered for the residents of Beacon Hill where FAA and SEA has known since 2002 that homes were eligible for sound insulation. The worst type of public outreach is to do nothing!

### **FAA release of CATEX of “New Route” over Burien in April 2018**

FAA has no reasonable defense for not knowing that SEA’s Part 150 Study was outdated from almost the moment of publication when it could not rely on this Study for noise analysis of the “New Route” as described below from page 35 of FAA’s CATEX document:

“As FAA started preparing NEPA documentation for the Preferred Alternative, the first noise analysis results were compared to the noise contours from the SEA Part 150 Study dated October 2013. FAA discovered that the noise exposure levels in the Turboprop-Only Analysis were not consistent with the Part 150 Study contours. This resulted in FAA conducting a second noise analysis that used all arriving and departing aircraft to account for the noise from all aircraft operating with the General Study Area.”

In Table 6 on page 38 of the CATEX, titled “Noise Results Using All Arrival and Departure Tracks”, the first column of Table 6 indicates that “5.2%” of the Study area was greater than 65+dB, making that area eligible for noise mitigation. Yet there has been no action from FAA or SEA to address outstanding needs for sound mitigation!

### **Linkage Between Element #6 of FAA’s Record of Approval (ROA) and Noise Levels from Greener Skies Program/NextGen) included in SEA’s Noise Compatibility Program (NCP) in its 2013-2018 Part 150 Study**

In FAA’s ROA dated June 2014 of SEA’s Part 150 Study, Element #6 titled “Measure A-15: Use of FMS Procedures – Page 5-9, Page 6-22 and Table 6-1, indicated the following that was bolded by the FAA:

**“FAA Determination: Approved as it is a continuation of a measure that was approved in the 2002<sup>3</sup> ROA and no new FMS procedures are recommended in this NCP update. The**

<sup>3</sup> Part 150 Studies generally cover a five-year period, so this ROA is for 2002-2007. It’s confusing though since FAA and SEA refer to the 2013-2018 SEA Study sometimes as ending in 2018 and sometimes ending in 2021.

1. Return to StART,  
accepting Port's conditions

Path of least resistance

We have no leverage and  
continue to be "used"

2. Return to StART with  
same conditions as Des  
Moines

Support for a sister city,  
easy path

Limited leverage and still  
no voice for our community

3. Return to StART with  
additional conditions (see  
next slide)

Can define options that help  
us be heard. May be  
followed by Fed Way

Need to craft conditions,  
Port may not be amenable

4. Don't return to StART

Don't spend a lot of time in  
meetings with little return,  
could form another forum  
for community/city voices

Would take a lot of work to  
establish another forum,  
may not have opportunity to  
hear Port, airlines, and  
voices of other communities  
if not at StART table

traffic to the runways as well as the significant need for controller interaction to maintain safe separation standards between aircraft arriving on closely-spaced parallel runways....”

“The ‘purpose’ of the Greener Skies project is therefore to provide a partial solution to the inefficiencies of the existing air traffic control system. Greener Skies seeks to achieve this purpose by leveraging existing NextGen performance-based technology enhancement to reduce controller and pilot workloads, reduce the complexity of operations within the Seattle airspace, and increase system flexibility and predictability.”

Environmental benefits (reduction of noise, emissions, and less fuel consumption) represented the external marketing plan for Greener Skies/NextGen, yet the real reasons were to benefit flight throughput so that more and more flight capacity could be accommodated without accompanying mitigation for the residents experiencing ever-greater volumes of flights. These facts were hidden from the public!

### **FAA Failed to Instruct SEA to update NEMs after implementing Greener Skies Program**

SEA’s 2013-2018 Part 150 Study was approved by the FAA in June 2014; yet analyses conducted by City of Burien Airport Committee members during 2017 and released to the Burien City Council, uncovered large discrepancies between the Study’s projected and actual flight operations.

**FACT:** On page G-1 of SEA’s Final Part 150 Study in October 2013, they projected an increase of 15.4% flight operations by 2021; however, each year of the Study, actual flights exceeded projected flights by an average of 9% per year based upon actual flight data between 2013 and 2016. Didn’t FAA notice that by the end of 2019 flight operations at SEA (450,487) were already 7% greater than what SEA forecast for 2021 (418,597)--a full two years later!

None of these “red flags” (fast-paced growth that leap-frogged SEA flight projections) motivated the Northwest Mountain Region of FAA to require SEA to comply with FAA Advisory Circular 150/5020-1, dated August 3, 1983, paragraph 36b, page 10, that describes how airports need to conduct periodic reviews and updates to determine whether their Part 150 NCP (Noise Compatibility Program) is current or reflects “increased operations” or “when the noise exposure map or airport master plan is updated, should be scheduled and budgeted by the airport operator as an integral part of the program. Included within the formalized review should be consideration of those problems or deficiencies identified during the monitoring process and most notably those pertaining to the performance of the plan. The review will normally not be as extensive as the original effort but should establish whether the plan remains viable or what actions are necessary to correct existing or forecast deficiencies.”

It is a stunning fact that FAA did not provide regulatory oversight to SEA that would require a periodic review or update in compliance with this A/C despite the airport’s steady annual operational increases that resulted in SEA in 2019 being considered the 8<sup>th</sup> busiest airport in the U.S., as compared to 14<sup>th</sup> busiest, which was their status when SEA published its 2013-2018 Part 150 Study growth projections. Additionally, FAA did not insist on SEA updating its NEMs to determine whether or not the 1.5 dB DNL had been exceeded, which it undoubtedly had, given

# Possible additional conditions for BAC discussion

- Add a “community” co-chair – someone selected by community members to be an equal to Lance Lyttle in steering StART – would participate in all discussions with facilitator and Port in drafting agendas and would lead a community caucus for input to StART.
- Guarantee for a community voice (cities/neighborhoods) in communicating concerns directly with the FAA, GAO, and other federal agencies without Port filter or editorializing.
- Record meetings?
- Other?

noise exposure maps is also contained in “Element #21-Periodically review and, if necessary, update the Noise Exposure Maps (NEMs) and the Noise Compatibility Program (NCP)” included in FAA’s Record of Approval of Sea-Tac Airport’s 2013-2018 Part 150 Study, dated June 2014;

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**FACT:** No public outreach workshops, meetings, or open houses were conducted in the Beacon Hill neighborhood of Seattle prior to SEA implementing the FMS/GPS RNP Greener Skies Program (NextGen). According to FAA’s Final Environmental Assessment for Greener Skies Over Seattle, Volume 1, dated November 1, 2012, page iv:

“The process included two public scoping meetings—one held south of SEA on January 25 2012 in Federal Way and one north of SEA on January 26, 2012 in Shoreline—as well as an Agency scoping session and a Tribal scoping session each held at FAA’s offices on January 26, 2012 in Renton.”

**FACT:** Furthermore, there is no trace of public outreach or any information from SEA or FAA directed to Environmental Justice (EJ) and low-income populations speaking Vietnamese, two dialects of Chinese, Tagalog, Cambodian, and Spanish on Beacon Hill<sup>2</sup>. Despite this fact, in its Final EA, the FAA reported on page vii:

“Of the 3,171,686 residents represented by the 40,788 population centroids in the Study Area, no one would be exposed to an increase in noise exposure that exceeds FAA’s criterion for significant impact (a 1.5 dB or greater increase to a DNL of 65 dB or greater) as a result of the Greener Skies Proposed Action for any of the study years examined.”

The above quote from FAA’s Final EA for Greener Skies contradicts what was already known by FAA and SEA ten years earlier--that flight operations over Beacon Hill exceeded in some areas the FAA noise metric of 65 dB DNL that supports eligibility of homes for sound mitigation. FAA ignored noise exposure maps published under their regulatory guidance a decade earlier; and would have the public believe that in ten years, noise did not increase even by a mere 1.5 dB DNL! Perhaps that’s why there was no public outreach on Beacon Hill? Possibly FAA didn’t want to risk citizen reaction prior to implementation because KCIA had saturated residents with noise information during the development of its 2003-2008 Part 150 Study that contained graphics of the combined noise contour map.

**FAA’s Final Environmental Assessment for Greener Skies Over Seattle, November 1, 2012**  
(Access in web browser at FAA environmental review for Greener Skies, main document, at the bottom of FAA webpage.)

On page v, the section entitled, “Purpose and Need,” FAA writes:

“The FAA’s mission is “to provide the safest, most efficient aerospace system in the world. The ‘need’ faced in the complex airspace surrounding SEA is the lack of efficiency associated with existing standard instrument arrival procedures into SEA, both in terms of the throughput of

<sup>2</sup> Incidentally in 2012, 53% of the population of Beacon Hill was designated Asian.



## COMMENTARY – NEEDED TO LIFT SUSPENSION + TO MAKE START WORK

### 1. FIX WHAT BROKE: PROCEEDING WITH EXPANSION WITHOUT PROCESS AND WITHOUT ENVIRONMENTAL REVIEW AND COMMENT

- a. Port agrees to undue the **action** that triggered the suspensions. Pointless to rejoin if they are simply going forward with something so problematic.

### 2. WHAT WE NEED – PART I – THE REAL “LAY OF THE LAND”

- a. Port needs to fully respond (one way or another) to long outstanding city/citizen requests for action. Inexcusable to pretend Port doesn't know what is requested.
  - i. Burien resolutions seeking Port action - 2019
  - ii. Des Moines letters to Port - 2019
  - iii. Federal Way task force report recommendations - 2018
  - iv. Port of Seattle Airport Neighbor Community Accords - 2018

### 3. WHAT WE NEED – PART II – BETTER PROCESS + COMMITMENT TRANSPARENCY/ACCOUNTABILITY

- a. Participation by Electeds *LA, Charlotte Douglas + alternates*
- b. Audio-visual recording – red line on transparency and accountability at this point *LA records*
- c. Reboot/define specific mission/goals – not diluted into incrementalism as has been practice (incrementalism must be byproduct of the consensus larger goal)
- d. Consensus on larger mission/goals priority, over incremental projects *FAA guidelines*
- e. Agenda-setting not silo'd in practice *LA has facilitated*
- f. Advance materials required – no longer excusable as it undermines credibility and efficacy *T&M/LA-notice/whenever poss. in adv LA*
- g. Speakers = diverse perspective must be priority; Port must accept and assist in bringing in counter viewpoints *all members of public welcome at all mtgs - C/D & LA*

*C/D printed summary*

*Super msg at C/D LA=50+1*

*LA allows invited guests "with relevant skills" pg 6*

### 4. CHARTER REVISION - START NOT A MARKETING ENGINE – MEDIA RELEASE/PR REQUIRES CONSENSUS – members agree no PR absent consensus

### 5. CHARTER REVISION - START NOT “CHECK THE BOX” FOR LEGAL COMPLIANCE – agreement by members that no member will claim that participation or convening of StART = is evidence of, or satisfies, any engagement obligation for legal processes.

### 6. INDUSTRY MUST ENGAGE – NOT PASSIVE OBSERVATION (no “pick-apart” game)

- a. Decision making – FAA and airlines are plainly not at the table
- b. FAA and airlines are not bringing ideas to problem solve, nor candor – they are playing the “pick apart” game.

### 7. SCIENCE

- a. StART must begin including how policy should be made based on new public health and environmental science – on climate change, noise, emissions
- b. StART addresses how Port participates or not in studies

### 8. CEASE FINGERPOINTING – if parties say law or jurisdiction prevents an action that otherwise has member consensus, StART will consider independent legal opinions to verify

## **CASE STUDY OF PUBLIC OUTREACH BY FAA RE: GREENER SKIES PROGRAM (NEXTGEN) AS IT RELATES TO BEACON HILL NEIGHBORHOOD IN SEATTLE**

### **ASSERTIONS:**

- 1. FAA's regulatory "oversight" intentionally ignored the existence of their own noise metric methodologies as reported by two airports: Sea-Tac (aka SEA) and King County International Airport, (aka KCIA/Boeing Field). Furthermore, FAA neglected to honor their responsibility and duty to include known SEA noise levels reported in KCIA's 2003-2008 Party 150 Study as Recommendation #1, described as "combined contours" on Beacon Hill. If FAA had properly provided oversight, the decibel measurements for the Greener Skies Program would have revealed decibel levels above 65 dB DNL for areas of Beacon Hill; and would have necessitated mitigation of hundreds of homes otherwise denied sound insulation assistance.**

### **Combined Noise Contours from KCIA**

In March 2002, King County International Airport (KCIA) submitted its Final Study Advisory Committee's (SAC) 2003-2008 Part 150 Study recommendations to the FAA and the first of its recommendations included this quote on Page 13 (Exhibit A):

"One of the unusual, perhaps unique, features of KCIA is its close proximity to Sea-Tac International Airport (SEA) to the south. The two facilities are so close that their noise contours actually overlap. This Part 150 Study has taken the unusual analytical step of creating a combined contour for both airports. The purpose of this exercise is to define areas, which would not fall into either airport's individual 65 DNL and above contour, but which are exposed to 65 DNL when the noise levels from both airports are considered together....For this reason, the area within the combined KCIA/Sea-Tac 65 DNL and above contour should be eligible for federal noise attenuation funds....For estimation purposes, this program would be expected to include 2,642 homes at a cost of \$30,000 each for a total of \$79 Million."<sup>1</sup>

- 2. There is clear evidence that FAA and SEA knew that the noise levels on Beacon Hill in 2002 already exceeded the FAA-mandated threshold of 65 dB DNL based upon Noise Exposure Map (NEMs) for "combined noise contours" contained in KCIA's Part 150 Study that was approved by FAA in 2005; yet no action by FAA or SEA occurred to mitigate affected homes. Additionally, no FAA or SEA action transpired in order to include existing aircraft noise over Beacon Hill when the Greener Skies Program was developed.**

### **Noise Exposure Maps (NEMs) (ie, FAA required maps outlining noise contours)**

Statutory reference for this FAA regulatory oversight is 14 CFR Part 150.21 (d) (1) regarding creation of noise exposure maps that update noise contours whenever there is an operational change that increases annual DNL by at least 1.5 dB. This reference to the requirement to update

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<sup>1</sup> The average cost per home for sound insulation in KCIA's program was actually \$60,000 each, which doubles this estimate.