



AGENDA

Burien Airport Committee

Tuesday, January 15, 2019 – 6:00 p.m.

Burien Community Center, 14700 6th Ave. SW, Chelsea Room

Page #

1. **CALL TO ORDER**
2. **APPROVE DRAFT MINUTES**
 - 2.1 Approve minutes from December 18, 2018 Burien Airport Committee meeting. 3 - 4
[BAC Draft Minutes - December 18, 2019](#)
3. **BUSINESS AGENDA**
 - 3.1 Review/Update of 3 Airport Related Resolutions. (All) 5 - 16
[Res406 Addressing Growth and Safety at SeaTac Airport](#)
[Res407 Addressing Noise Pollution Generated by SeaTac Airport](#)
[Res408 Addressing Health Impacts at SeaTac Airport](#)
 - 3.2 Discussion on Proposed Resolution No. 405 addressing the composition of the Burien Airport Committee. (All) 17 - 19
[Res405 Amending Res384 Establishing Burien Airport Committee](#)
 - 3.3 Update on Application Process for Burien Airport Committee. (Lori Fleming)
 - 3.4 Other Updates/Other Business
4. **PUBLIC COMMENT**
5. **ADJOURNMENT**

COUNCIL COMMITTEE MEMBERS

Councilmember Nancy Tosta, Chair Mayor Jimmy Matta Councilmember Pedro Olguin

BUSINESS COMMITTEE MEMBERS

Jill Esau Larry Cripe Matthys van Leeuwen

RESIDENT COMMITTEE MEMBERS

Debi Wagner Sharyn Parker Vacant

City Staff: Brian Wilson, City Manager; Lori Fleming, Management Analyst , Phone # 206-248-5518, e-mail: Lorif@burienwa.gov.



Language interpretation services are available upon request. Please phone 206-248-5517 at least 48 hours prior to the meeting to request assistance.

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Las reuniones del Concejo Municipal, Consejo consultivo y el comité son accesibles a personas con discapacidades. Interpretacion de lengua de señas americana y aparatos de escucha asistida están disponibles bajo petición. Por favor de llamar al numero 206-248-5517 por lo menos 48 horas antes de la reunion para solicitar asistencia.



MINUTES - Draft

Burien Airport Committee

Tuesday, December 18, 2018

Burien City Hall, 400 SW 152nd Street, Burien, WA 98166, Multipurpose Room

PRESENT: Councilmember Nancy Tosta, Jill C. Esau, Matthys van Leeuwen, Larry Cripe, Sharyn Parker, Debi Wagner, Brian Wilson, City Manager, and Lori Fleming, Management Analyst.

ABSENT: Mayor Jimmy Matta, Councilmember Pedro Olguin

1. CALL TO ORDER

The meeting was called to order at 6:02 p.m.

2. APPROVE DRAFT MINUTES

1. Approve minutes from October 16, 2018 and November 15, 2018 Burien Airport Committee meetings.

The minutes from the October 16, 2018 and November 15, 2018 meetings were approved.

3. BUSINESS AGENDA

1. Review of 3 Draft Airport Related Resolutions. (All)

The three resolutions were updated by the Committee and will be provided to Lisa Marshall, City Attorney, to review. They will be added to the January 7, 2019 Burien City Council meeting for Council review and approval. The three resolutions address A.) Airport growth and safety; B.) Airport noise pollution; and C.) Airport monitoring and health impacts.

2. Discussion on Burien Airport Committee Composition and Purpose. (All)

Discussion occurred on the composition of the Burien Airport Committee and the Committee recommended eliminating the distinction between business and resident members for more flexibility and including ex-officio members from other airport related groups. The Committee's recommendation will be scheduled for the January 7, 2019 Burien City Council meeting.

3. Update on Applications for Burien Airport Committee. (Lori Fleming)

An update was provided on applications received so far for the Burien Airport Committee. Five applications have been received, with three from current Committee members, and two from new applicants.

4. Other Updates/Other Business. (All)

No other business.

Burien Airport Committee
December 18, 2018

4. PUBLIC COMMENT

Various public comments occurred in support of continuing the Burien Airport Committee.

5. NEXT MEETING TIME

1. Burien Airport Committee Interviews and Appointments were moved to Monday, February 4, 2019.
2. The next Burien Airport Committee meeting is scheduled for Tuesday, January 15, 2019 at 6:00 p.m. at the Burien Community Center. (Regular meeting time is the 3rd Tuesday of each month at 6:00 p.m.)

6. ADJOURNMENT.

The meeting adjourned at 7:38 p.m.

COUNCIL COMMITTEE MEMBERS: Councilmember Nancy Tosta, Chair; Mayor Jimmy Matta; Councilmember Pedro Olguin

BUSINESS COMMITTEE MEMBERS: Jill Esau, Larry Cripe, Matthys van Leeuwen

RESIDENT COMMITTEE MEMBERS: Debi Wagner, Sharyn Parker, Vacant

City Staff: Brian Wilson, City Manager; Lori Fleming, Management Analyst, Phone # 206-248-5518, e-mail: Lorif@burienwa.gov.

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 406

**A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, TO
ADDRESS GROWTH AND SAFETY AT SEA-TAC AIRPORT**

WHEREAS, the City of Burien (“City”) is located adjacent to Sea-Tac Airport (“Airport”) and has experienced considerable and disproportionate negative health, environmental, and economic impacts due to this proximity; and

WHEREAS, the City has a responsibility to protect the safety of members of the community, as well as a role in promoting the health and economic well-being of residents; and

WHEREAS, the City understands that air travel is an essential component of economic growth for the region and state; and

WHEREAS, the City has been briefed on the Airport’s Sustainable Airport Master Plan (SAMP) and has offered numerous comments on all aspects of the planned growth; and

WHEREAS, the City is aware that more than \$10 billion will likely be expended to complete the projects identified in the Airport SAMP; and

WHEREAS, the City knows that continued development at the Airport will result in increased negative impacts within the community, decreasing quality of life and property values, creating ever-widening zones of poor health and poverty locally and in other surrounding communities; and

WHEREAS, the City is aware that due to projections in both air travel and air cargo demand and site constraints, even with completion of projects outlined in the SAMP, the Airport will not have the capacity to meet demand within less than ten years; and

WHEREAS, missed approaches, delays, and air safety concerns are currently increasing at the Airport; and

WHEREAS, the Federal Aviation Administration (FAA) has directed and provided funding to the Puget Sound Regional Council to conduct a study by spring of 2020 of regional aviation capacity needs; and

WHEREAS, the [Washington State](#) Legislature has directed and is providing funding to the WA Department of Commerce to conduct a study to be completed by June 2020 in conjunction with communities surrounding the Airport to assess the impacts of Airport operations; and

WHEREAS, the City believes that it is flawed public policy and a waste of public resources to invest more than \$10 billion in an infrastructure that will not meet the needs of the region within less than ten years yet will cause significant human suffering and economic loss in surrounding communities, while not considering alternatives.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES RESOLVE THAT AS FOLLOWS:

Section 1. Request that the Port of Seattle Delay Build-Out In the interest of human health and safety and wise expenditure of public resources, the City Council hereby requests that the Port of Seattle delay any build-out or launch of additional infrastructure at the Airport, specifically as identified in the SAMP, until such time as the Puget Sound Regional Council and the Department of Commerce studies are completed, true impacts are assessed, and aviation capacity needs are fully documented.

Section 2. Request that the State Legislature Take Action/ In the interest of human health, safety, economic development, and wise expenditure of public resources, the City Council hereby requests that the State Legislature recognize and immediately take action to identify and begin development of additional sites within Western Washington to accommodate air travel and air cargo demand.

Section 3 Request for Reporting. For full transparency, the City Council hereby requests that the Commissioners of the Port of Seattle provide the Burien City Council a report on proposed actions no later than six months from adoption of this resolution and the City’s legislative representatives provide updates on progress on new sites at the close of the 2019 Session of the Washington Legislature.

Section 4. Effective Date. This resolution shall take effect immediately upon passage by the Burien City Council.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS ____ DAY OF _____, 2019.

CITY OF BURIEN

Jimmy Matta, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Lisa Marshall, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No. 406

Copies to be distributed to:

- State Legislature
- Port Commissioners and Staff
- Josh Brown, Executive Director, Puget Sound Regional Council
- Governor, ETC.....

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 407

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, TO ADDRESS NOISE POLLUTION GENERATED BY SEA-TAC AIRPORT

WHEREAS, the City of Burien (“City”) is located adjacent to Sea-Tac Airport (“Airport”) and experiences considerable and disproportionate negative health, environmental, and economic impacts, in many cases due to aircraft noise; and

WHEREAS, the City has a responsibility to protect the safety of members of the community, as well as a role in promoting the health and economic well-being of all residents, including vulnerable populations; and

WHEREAS, between 2014 and 2016, the Airport rose from the 14th busiest in the country to the 9th busiest and Airport operations exceeded 2013-2018 projections by greater than 30% and are expected to continue rapid growth, and

WHEREAS, none of the Sustainable Airport Master Plan (SAMP) projects currently under development by the Airport give any consideration to off-site noise impacts; and

WHEREAS, other Puget Sound local and regional airports are similarly experiencing growth in airport operations, and

WHEREAS, the World Health Organization (WHO) recently released a comprehensive report on noise and health, recommending a 45 decibel (dB) daytime maximum level and 40 dB night-time maximum noise level as the thresholds above which serious health impacts occur; and

WHEREAS, current noise impacts at the Airport are assessed using noise metrics adopted by the Federal Aviation Administration (FAA) using a daytime 65 dB Day-Night Average Sound Level (DNL) and nighttime 55 dB DNL and these decibel levels are well above the highest levels recommended by the WHO; and

WHEREAS, the Airport’s current 2013-2018 Part 150 Study was completed prior to requirements adopted by the FAA in May 2015 to apply Aviation Environmental Design Tools (AEDT) to the Noise Compatibility Program (NCP)¹ and prior to the recent rapid growth in Airport operations, and

¹ Guidelines contained in CFR 14 Part 150

WHEREAS, the 2013-2018 Part 150 Study is neither current or accurate, due to significant recent growth exceeding projections in Airport operations, due to lack of use of AEDT, due to missing information on airports in close proximity and limited regional airspace capacity, due to missing information on noise generated from NextGen flights, and due to lack of consideration for vulnerable populations experiencing environmental justice concerns, and

WHEREAS, there are several noise restraints in State law² that mandate the Port Commission investigate and monitor aircraft noise to determine the nature and extent of impacts from aircraft noise, but there is no evidence that this has been done; furthermore, the Airport, as the primary advocate of this state provision, limited mitigation to a geographic area significantly less than where impacts are occurring; and

WHEREAS, the Airport's earliest noise insulation program for homeowners that began circa 1985 was inadequate and would not meet contemporary FAA standards, and required homeowners under state law³ to sign an "avigation" easement that never expires even after mitigation measures, warranties, and windows fail; and

WHEREAS, the FAA offers Airport Improvement Program (AIP) grants that can be used for noise mitigation, but the Airport appears to have delayed requesting funding for four years and used AIP grants for other priorities; and

WHEREAS, the FAA is studying the feasibility of offering⁴ a new program to replace sound insulation products that were previously installed and have failed or require replacement due to changed construction codes, but a current state law⁵ advocated by the Airport prohibits homeowners from receiving any updated acoustical products⁶;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES RESOLVE ~~THAT AS FOLLOWS:~~

Section 1. Request that the Washington State Legislature Initiate Study. The City Council hereby requests that tThe Washington State Legislature repeal RCW 53.54.020 and add language requiring the Airport to immediately initiate a new Part 150 Study ~~immediately~~; the City Council further requests that furthermore, whenever future projections of Airport operations used for planning are exceeded by 10% that a new Part 150 Study be initiated, including accurate monitoring of noise and emissions to lead to effective and aggressive mitigation.

² Chapter 53.54.020 RCW enacted in 1984

³ Chapter 53.54.030 (3) RCW enacted in 1985

⁴ There are no federal grant funds currently identified to support this offering.

⁵ Chapter 53.54.030 (5) RCW enacted in 1993

⁶ Based upon this new development at FAA, SFO (San Francisco Airport) is now offering a "Replacement and Second Chance Noise Insulation" initiative.

Section 2. Washington State’s Congressional Delegation Requested to Act. The City Council hereby requests that the Members of Washington State’s Congressional Delegation add language in federal statutes (14 CFR Part 150 as amended) to substitute DNL metrics consistent with WHO standards; the City Council further requests that furthermore, that the AEDT components be amended to consider additional decibels that result when noise is propagated over bodies of water.

Section 3. Washington State Legislature Requested to Amend Revised Code of Washington. The City Council hereby requests that the Washington WA State Legislature repeal the Revised Code of Washington (“RCW”) as follows:

- A. ~~Amend Chapter 53.54.030 (5) RCW that which~~ limits homeowners to “one-time only” participation for mitigation;
- B. ~~A and~~ add language that authorizes a Sound Insulation Replacement Program operated by the Airport and styled after the SFO program;
~~and further aC. Amend Chapter 53.54.030(3) RCW which that~~ limits aviation easements to the duration, or “shelf-life,” projected for new and replacement acoustical products;

~~Section 4. The Washington State Legislature repeal D. Repeal Chapter RCW 53.54.030 (3) RCW which that~~ requires homeowners to waive all damages and convey an easement into perpetuity, yet still accept all “noise and noise associated conditions therewith.”

Section 5. Port of Seattle Requested to Act. The City Council hereby requests that tThe Port of Seattle Airport aggressively seek noise mitigation funding to mitigate impacts from increased Airport operations and their impacts on qualified⁷ residences in the City.

Section 6 Reporting Requested. The City Council hereby requests that tThe City’s State Legislators provide a report immediately following the close of the 2019 legislative session on progress made on the actions in this resolution and that the Airport notify the City of efforts to secure additional funding.

Section 7. This resolution shall take effect immediately upon passage by the Burien City Council.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS ____ DAY OF _____, 2019.

⁷When the Airport conducted previous mitigation prior to third runway mitigation, ALL homes were qualified; however, the FAA changed regulations in 2016 and now homes must be noise tested to determine whether or not the interior noise level is above 45 dB DNL. If the dB is greater than 45 dB DNL, then the home is qualified.

CITY OF BURIEN

Jimmy Matta, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Lisa Marshall, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No. 407

Copies to be distributed to:

- The Honorable ...

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 408

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, REQUIRING REQUESTING MONITORING AND HEALTH IMPACT ASSESSMENTS OF SEA-TAC AIRPORT OPERATIONS

WHEREAS, the City of Burien (“City”) is located adjacent to Sea-Tac Airport (“Airport”) and has experienced considerable and disproportionate negative health, environmental, and economic impacts; and

WHEREAS, the City has a responsibility to protect the health, welfare and safety of residents in the community; and

WHEREAS, the Airport is a major source of noise and air pollution and air traffic has exceeded the Airport’s operational projections for 2013-2018 by over 30%; and

WHEREAS, there are no temporary or permanent air quality monitors in or near the six cities in closest proximity to the Airport and hence no means to assess potential levels of pollutants and exposures of surrounding populations to Criteria Air Pollutants (CPs) (including ultrafine particulate matter – PM) and Hazardous Air Pollutants¹ (HAPs) known to be generated by Airport operations); and

WHEREAS, studies in the United States² and around the world indicate that exposure to CPs and HAPs may contribute to or cause a range of chronic and severe illnesses including cancer, diabetes, lung disease, inflammation of airways, many respiratory diseases (i.e., asthma attacks), cardiovascular disease (i.e., heart attacks), and premature death; and other studies³ indicate that exposure to ultrafine PM from airport operations may impact health; and

WHEREAS, no baseline air quality and health studies have been conducted to determine potential impacts of Airport operations, nor does the Airport’s Sustainable Airport Master Plan (SAMP) quantify or model the full range of emissions and pollutants even as extensive development continues and Airport operations increase; and

WHEREAS, the Puget Sound Clean Air Agency (PSCAA), the WA Department of Ecology (DOE), and the US Environmental Protection Agency (EPA) have previously identified a need to better characterize the airshed where the Airport is located and assess impacts, but no

¹ <https://ecology.wa.gov/Air-Climate/Air-quality/Air-quality-targets/Air-quality-standards>

² <https://oehha.ca.gov/air/health-studies-criteria-air-pollutants>

³ <https://www.nap.edu/catalog/22119/understanding-airport-air-quality-and-public-health-studies-related-to-airports>

state mandates have compelled the Airport to accomplish these tasks; nor have these regulatory agencies assured Airport compliance with federal air quality mandates.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES RESOLVE ~~AS FOLLOWS~~ THAT:

Section 1 Washington State Legislature Requested to Act. The City Council requests that the Washington State Legislature take the actions set forth below:

- A. Direct ~~The Washington State Legislature direct~~ PSCAA, DOE, and EPA to delineate the Airport airshed within which environmental and health impacts will be assessed.
- B. Identify ~~Section 2. The Washington State Legislature identify~~ and mandate that a research institution, PSCAA, or DOE establish within one to three miles of the Airport's airshed boundary adequate air quality monitors to measure CPs and HAPs to characterize conditions within the airshed and that funding be appropriated to establish and continuously operate these monitors.
- C. ~~Appropriate~~ ~~Section 3. The Washington State Legislature A~~ appropriate funds to the PSCAA or DOE to independently conduct a cumulative risk assessment of both emissions and noise to better understand potential environmental impacts on populations located within the airshed.
- D. ~~Section 4. The Washington State Legislature a~~ appropriate funds to a designated research institution or Washington State Department of Health (DOH) to conduct a Community Health Impact Assessment (CHIA) of populations within the Airport airshed, including vulnerable⁴ populations and environmental justice⁵ communities. The CHIA would determine the level of illnesses and diseases, sleep deprivation, and learning deficiencies attributable to cumulative noise and air pollution generated by Airport operations.
- E. ~~Amend Section 4. The Washington State Legislature amend~~ Chapter 70.05.070 RCW and SEPA Chapter 43.32C RCW to require that the Department of Health comply with WAC 246-366 to perform health and safety inspections at schools within Airport communities to ensure that State standards for air and noise quality are not exceeded.

⁴ <https://www.ajmc.com/newsroom/5-vulnerable-populations-in-healthcare>

⁵ <https://www.epa.gov/environmentaljustice/learn-about-environmental-justice>

~~Section 5. The City's State Legislators~~ provide a report immediately following the close of the 2019 legislative session on progress made on the actions in this resolution.

Section 26. This resolution shall take effect immediately upon passage by the Burien City Council.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS ____ DAY OF _____, 2019.

CITY OF BURIEN

Jimmy Matta, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Lisa Marshall, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No. 408

Copies to be distributed to:

- The Honorable ...

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 405

**A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON,
AMENDING RESOLUTION NO. 384 ESTABLISHING A COMMITTEE
TO ADDRESS ISSUES RELATED TO SEATTLE TACOMA
INTERNATIONAL AIRPORT.**

WHEREAS, the City Council of the City of Burien adopted Resolution No. 384 on December 19, 2016 which created a committee to address issues related to Seattle Tacoma International Airport (hereafter "Airport"); and

WHEREAS, the City Council desires to change the composition of the committee to allow for better participation;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Amendment. Resolution Number 384 is hereby amended to read as follows:

Section 1. Committee Established. A Burien Airport Committee ("Committee") is hereby established to act in an advisory capacity to the City Council with the following purposes:

1. To discuss both the positive and the negative impacts of the Airport on the City of Burien;
2. To discuss land use issues related to the Airport, including impacts on the City of Burien, including but not limited to the South Aviation Support Area (SASA), the International Arrivals Facility, and Airport access;
3. To discuss agreements between the City of Burien and the Port of Seattle related to the Airport including, but not limited to interlocal agreements;
4. To discuss mitigation of Airport impacts including but not limited to traffic mitigation, surface water management, parking, and the payment of impact fees;
5. To make recommendations to the City Council regarding ways to protect residents and businesses from negative Airport impacts;
6. To make recommendations to the City Council regarding ways for residents and businesses to take advantage of ~~positive Airport impacts~~ proximity;
7. To ensure coordination and information sharing among the individuals representing the City of Burien on various Airport-related committees, task-forces, and other entities; and
8. To address other Airport related issues as deemed appropriate by the Committee or the City Council.

Section 2. Meetings. The Committee will meet on an as-needed basis.

Section 3. Committee Composition. The Committee shall be comprised of the following:

- ~~1. Three Councilmembers, one of which shall be the Chair. Councilmembers and the Chair of the Committee shall be selected by random drawing if more than three express interest in serving.~~
- ~~2. A maximum of three members from the Burien business community, who shall be appointed by the Council. Business community members shall serve two year terms.~~
- ~~3. A maximum of three members who reside in the City of Burien shall be appointed by the Council. Resident members shall serve two year terms.~~
- 1. At least one Councilmember, but not more than three, one of whom shall be the Chair. Councilmembers of the Committee shall be selected by random drawing if more than three express interest in serving.
- 2. A maximum of six members from the Burien community, who shall be appointed by the Council to serve two-year terms.
- 3. Ex-Officio members consisting of the City Manager, individuals representing the City on other airport related efforts such as the SEA Stakeholder Advisory Round Table (StART) and the 2018 Legislatively mandated Department of Commerce Airport Impacts Study Committee, and a representative of the Quiet Skies Coalition.

Commented [LM1]: I don't have any recommended changes to this section because the composition of the committee is a policy issue for the Council to weigh-in on.

Section 4. Staff Liaison. The City Manager shall appoint a staff liaison to the Committee. The Committee shall also have additional staff support as the City Manager deems appropriate.

Section 5. Committee Meetings Open to the Public. All Committee meetings shall be open to the public pursuant to the Washington State Open Public Meetings Act, RCW 42.30 et seq.

Section 2. Effective Date. This resolution shall take effect immediately upon passage by the Burien City Council.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS ____ DAY OF _____, 2019.

CITY OF BURIEN

Jimmy Matta, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Lisa Marshall, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No. 405