



AGENDA

Burien Airport Committee

Tuesday, April 21, 2020 – 6:00 p.m.

Via virtual Zoom Meeting

Link to Meeting: <https://bit.ly/2KcjChP>

Page #

NOTE: In accordance with [Proclamation 20-28 by the Governor Amending Proclamation 20-05](#), the City is temporarily prohibited from holding in-person meetings. However, public meetings may occur, provided there is an option for the public to attend the proceedings. Starting April 6, 2020, all public meetings will be held virtually using Zoom Webinar software. We want our community to continue to be able to watch and participate in public meetings. Please see the link to the [Zoom Webinar Meeting](#) in the header of the Agenda. If you need assistance with the Zoom link, please contact the City's Clerk's office at CityClerk@burienwa.gov.

1. CALL TO ORDER

2. INTRODUCTIONS

2.1 Welcome to new Burien Airport Committee member, Nekya Johnson.

3. APPROVE DRAFT MINUTES

3.1 Approve the minutes from February 26, 2020 Burien Airport Committee (BAC) meeting. 3 - 4
[February 26, 2020 BAC Draft Minutes](#)

4. BUSINESS AGENDA

4.1 Update from Chair Tosta on March 2020 Washington, D.C. visit with legislative representatives. 5
[Draft Letter for Jayapal-EIS 042120](#)

4.2 Draft letter to Federal Aviation Administration (FAA). 7 - 10
[Upthegrove Letter to FAA-SAMP EIS 041920](#)
[Draft Letter to FAA-Suomi 250 degree turn-040920Rev](#)

4.3 Discussion on potential letter to Port of Seattle's response to thirteen Sea-Tac Stakeholder Advisory Round Table (StART) re-engagement issues/concerns.

- 4.4 Update on status of the Stantec report and opportunities for review.
- 4.5 Potential invitation to Justin Biassou (FAA Community Ombudsperson) to a future BAC meeting.
- 4.6 Other upcoming BAC priorities.

5. PUBLIC COMMENT

There are three ways to provide public comment:

1. **Email (*preferred*)**: You can provide a public comment in advance by sending an email to AirportCommittee@burienwa.gov. The Staff Liaison will read your comment aloud during the meeting.
2. **Text**: Send a text to AirportCommittee@burienwa.gov (simply enter the email address in the "To:" line of the text) and the Staff Liaison will read your comment aloud during the meeting.
3. **Online (Zoom)**: If you are unable to provide public comment via email or text, and would still like to provide public comment during the meeting, you will need to login to the Zoom meeting that begins at approximately 6 p.m.

6. ADJOURNMENT

- 6.1 The next Burien Airport Committee (BAC) meeting is Tuesday, May 19, 2020 at 6:00 p.m.

COMMITTEE MEMBERS

**Councilmember Nancy Tosta, Chair; Mayor Jimmy Matta;
Councilmember Sofia Aragon**

**Larry Cripe; Jeff Harbaugh; Nekya Johnson; Sharyn Parker; Javier Tordable; Debi
Wagner**

Ex-Officio Member: Brian Wilson, City Manager

**Staff: Lori Fleming, Management Analyst , Phone # 206-248-5518, e-mail:
Lorif@burienwa.gov**



MINUTES - Draft

Burien Airport Committee

Wednesday, February 26, 2020

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

PRESENT: Councilmember Nancy Tosta (Chair); Mayor Jimmy Matta; Councilmember Sofia Aragon; Larry Cripe (via telephone); Jeff Harbaugh; Sharyn Parker; Javier Tordable; Debi Wagner; City Manager Brian Wilson; Management Analyst Lori Fleming; Rose Clark; Terrance Plumb.

ABSENT: Jeff Harbaugh

1. CALL TO ORDER

The meeting was called to order at 6:04 p.m.

2. APPROVE DRAFT MINUTES

The minutes from the January 21, 2020 Burien Airport Committee meeting were approved.

3. BUSINESS AGENDA

A motion was made by Debi Wagner to add discussion of a letter to Matt Adams as Business Item 3.3 and move 3.3 to 3.4. Instead, the Committee proceeded with the discussion. City Manager Wilson provided an update stating that Matt Adams, our attorney in the FAA lawsuit, changed law firms in the last couple months, but was still willing to work with the City. City Manager Wilson was trying to schedule Mr. Adams for a Burien City Council briefing in the next month. After discussion, the Committee asked City Manager Wilson to follow up with Mr. Adams on the following issues:

- 1.) Is it possible to ask the 9th Circuit Court of Appeals whether the FAA's response to their decision on the Burien turn meets their remand?
- 2.) The Committee wants clarification on the 60-day time period to respond to the FAA's decision; and will failure to respond within the 60-days impact our ability to challenge their decision regarding cumulative impacts as part of the SAMP process?
- 3.) Does the Court's decision mean the FAA has to withdraw their letter of agreement (LOA) for the Burien turn? Can the FAA continue with the automated turn over Burien?

3.1 Discuss draft letter regarding Sustainable Airport Master Plan (SAMP) Environmental Impact Statement (EIS). (Draft to be provided at meeting.)

Chair Tosta handed out a draft letter regarding the need to address the cumulative effects of airport growth over the last several years on the surrounding communities. The Committee recommended the letter be updated with more statistics and then provided to the Burien City Council for approval at the March 2, 2020 Council meeting. It was recommended to be sent to the Port Commission, the FAA, and our legislative representatives.

Burien Airport Committee
February 26, 2020

3.2 Discuss next steps with Sea-Tac Stakeholder Advisory Round Table (StART) and potential recommendations for Burien City Council.

City Manager Wilson provided an update on the January 29, 2020 meeting held with the Port of Seattle and the three current (Normandy Park, SeaTac, and Tukwila) StART cities and three suspended (Burien, Des Moines, and Federal Way) cities. The Committee discussed if they should make a recommendation to the Burien City Council to rejoin. Issues continue to be recording of meetings, inconsistent minutes, not having elected at the meetings, and others. The Port responded to the thirteen issues/concerns regarding StART re-engagement; and the Committee recommends responding to the Ports answers. Chair Tosta will draft a response for the Committee to review. After review, the Committee may recommend having the Burien City Council approve it.

3.3 Discuss joint Port of Seattle visit to Washington, D.C. on March 12, 2020.

Chair Tosta will be attending the joint Port of Seattle visit to Washington, D.C. on March 12th to meet with legislative representatives.

4. PUBLIC COMMENT

Public comments were provided on the following:

- Supported recording StART meetings;
- Mentioned 350 Seattle on climate justice is bringing environmental issues to many venues;
- B-Town Blog articles are showing we are having some effect on sound mitigation and reduced night flights;
- Thank you for the hard work the City is doing.

5. ADJOURNMENT

The meeting was adjourned at 7:38 p.m.

The next regularly scheduled Burien Airport Meeting is Tuesday, March 17, 2020 at 6:00 p.m. at the Burien Community Center.

April 21, 2020

Steve Dickson, Administrator
Federal Aviation Administration
800 Independence Ave Southwest
Washington, DC 20591

Dear Mr. Dickson,

Concerns have been brought to our attention by many elected officials and residents in our Districts that the analysis of impacts currently underway of expanding capacity at SeaTac Airport is inadequate. We believe that a comprehensive cumulative impact assessment as part of an Environmental Impact Statement (EIS) for the Port of Seattle's Sustainable Airport Master Plan (SAMP) is critical to assess the growth that has occurred in the last five years and is projected to occur within the next decade. The surrounding jurisdictions have inequitably borne the impact of SeaTac Airport's increasing traffic for decades and deserve a complete assessment of how this affects their health and neighborhoods.

In recent communications with the City of Burien, the FAA has indicated that it's planned Environmental Assessment (EA) on the SAMP will consider only certain "Near Term Projects" that will aid in meeting demand for the next seven years, but will not consider "the entire SAMP." Given that the scope of a cumulative impact assessment must consider reasonable foreseeability and not just projected demand, as well as recent incremental actions (estimated to have added approximately 14 new gates over the last five years), the current FAA EA proposal is unlikely to meet any definition of "adequate" environmental assessment. We believe that the FAA must conduct a deeper and broader scoping to meet requirements under the National Environmental Protection Act.

We are asking you to please look into this matter as soon as possible, rather than allowing analysts to expend time conducting a limited EA for the next several months, only to be told of its inadequacy upon delivery. This could very well result in delays in building out some of the needed infrastructure being called for at SeaTac Airport if the courts are asked to intervene.

Please reach out if you would like to discuss this further or need additional information on our concerns. Thank you for your attention to this matter. We look forward to your response.

Best regards,

Representative Pramila Jayapal
Representative Adam Smith
Representative Rick Larsen
?????

Cc: David Suomi, Northwest Regional Administrator FAA



King County

Dave Upthegrove

Councilmember, District 5

Metropolitan King County Council

March 19, 2020

Steve Dickson
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Administrator Dickson,

I am writing to express my support for conducting a comprehensive cumulative impact assessment as part of the Environmental Impact Statement (EIS) for the Port of Seattle's Sustainable Airport Master Plan (SAMP) for Seattle-Tacoma International Airport (SEA). SeaTac Airport is our region's largest hub for passenger travel and air freight, moving nearly 52 million passengers and more than 450,000 metric tons of air cargo in 2019. This immense reach presents significant impacts and costs to the local cities and surrounding areas that fall within the Federal Aviation Administration's (FAA) flight path. Some of the most notable obvious impacts include noise and air pollution.

Our region is experiencing enormous growth and I believe that in order to fully assess the short-term and long-term impacts of future growth at SeaTac Airport, the FAA's NEPA process must include an EIS that contains a comprehensive cumulative impact assessment. The current EIS scope only examines the thirty projects in the airport's "near term" plans and relegates the long-term projects to be constructed after 2027 to a future EIS. Although it is true that many of the long-term projects in the SAMP cannot begin comprehensive planning without the near-term projects being completed, a separate environmental analysis is disjointed and could harm the integrity of the published study. This full EIS should also include necessary mitigation strategies associated with those short and long-term projects identified in the Port of Seattle's SAMP.

I encourage the FAA to conduct the full EIS now, thus examining short and long-term community impacts in parallel to the future growth of SeaTac-Tacoma International Airport. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Dave Upthegrove". The signature is written in a cursive, flowing style.

Dave Upthegrove
King County Council
District 5



City of Burien
400 SW 152nd Street
Suite 300
Burien, WA 98166-1911

P 206.241.4647
F 206.248.5539

burienwa.gov

April 9, 2020

DRAFT-Rev

Mr. David Suomi
Regional Administrator
Northwest Mountain Region
Federal Aviation Administration
2200 S. 216th St.
Des Moines, WA 98198

Dear Mr. Suomi (David):

This letter responds to the January, 2020, Federal Aviation Administration (“FAA”) “Update” to the agency’s categorical exclusion regarding an automated 250-degree westerly turn for southbound turboprops in north flow as well as your March 10, 2020, letter asserting that an Environmental Assessment (“EA”) represents the appropriate level of National Environmental Policy Act (“NEPA”) review for Seattle-Tacoma International Airport’s Sustainable Airport Master Plan (“SAMP”).

The City of Burien understands that the SAMP environmental review process remains ongoing, and that additional information about environmental impacts, alternatives, (which, among others, should address significant safety issues of separation and airport configuration), and mitigation measures may come to light as that process moves forward. However, in light of the assertions in your March 10 letter, we think it may be helpful to clarify two matters at this time.

First, the March 10 letter states that the scope of the FAA’s EA will be limited to certain “Near-Term Projects” that are “designed to meet the projected demand through 2027,” but will not include “the entire SAMP.” The City of Burien anticipates submitting input on the scope of the proposed action evaluated in the EA once a draft of the document is made available for review and comment. Meanwhile, please note that the scope of the EA’s cumulative impact analysis must include all projects, all impact categories of all past, present and especially reasonably foreseeable rather than FAA’s approach to use projected demand which is a very unstable basis- and for that reason, it will likely need to be much broader than the scope of the proposed action itself.

Second, we wish to provide some additional clarification of the City's position with respect to the FAA's January, 2020, "Update" document. As you may recall, the FAA originally implemented an automated 250-degree turn in 2016, without any environmental review or notice to the public. The City filed a petition for review in the Ninth Circuit and, rather than defending its actions, the FAA chose to withdraw the turn procedure. The FAA then prepared a Categorical Exclusion addressing the 250-degree turn. The City raised significant concerns about the quality of the environmental analysis in the Categorical Exclusion and, when those concerns were not properly resolved, filed a second petition for review. In ruling on the second petition for review, the Ninth Circuit held the FAA's cumulative impact analysis failed to satisfy the requirements of NEPA. The January, 2020, "Update" purported to correct this error, but provided little more than boilerplate recitations and conclusory assertions — far short of the "hard look" at cumulative impacts that NEPA requires. However, rather than burdening the Ninth Circuit with yet another petition for review — a petition unlikely to be resolved before a Draft of the SAMP EA is completed — the City decided to focus its attention on the ongoing SAMP environmental review process. To be clear, our decision not to file a third petition for review should not be interpreted as an endorsement of the "Update" or a waiver of any argument or claim with respect to cumulative impacts relating to the SAMP. On the contrary, we very much doubt that the vague, conclusory statements in the "Update" would survive judicial review. The City fully expects the FAA's Draft EA will contain a more thorough assessment of cumulative impacts, and we and our residents very much look forward to reviewing and commenting on that analysis.

I hope this letter will be useful in promoting a more collaborative approach to the FAA's environmental review and decision-making on projects that impact the City of Burien and its residents. As always, the City stands ready to work with you and your office.

Sincerely,

Brian J Wilson
City Manager

Cc: Burien City Council