



# AGENDA

## Burien Airport Committee

Tuesday, November 19, 2019 – 4:30 p.m.

Des Moines Beach Park Dining Hall

Page #

**1. NOTE:**

- 1.1 This is a Joint Meeting of the Burien Airport Committee and the Des Moines Aviation Advisory Committee that is being hosted by Des Moines. The Agenda packet for the meeting is attached. 3 - 6
- [November 19, 2019 Joint Airport Meeting Agenda](#)

### COMMITTEE MEMBERS

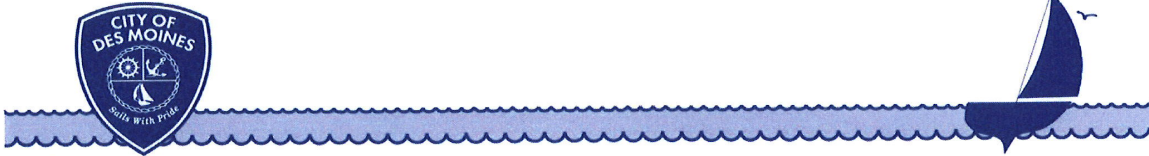
**Councilmember Nancy Tosta, Chair; Mayor Jimmy Matta;  
Councilmember Pedro Olguin**

**Larry Cripe; Jeff Harbaugh; 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**



# *City of Des Moines*



AGENDA – JOINT AVIATION ADVISORY COMMITTEES  
November 19, 2019 4:30 – 6:00 pm  
Des Moines Beach Park Dining Hall (parking validation will be provided)

1. Welcome and introduction
2. Report from Legislative Agenda subcommittee
3. Discussion of potential elements that need to be considered prior to rejoining StART and process moving forward.
4. Next Steps
  - a. Future meetings as valuable

Attachment: Summary from Legislative Agenda subcommittee

## Legislative Task Force

**Background:**

Four volunteers, who attended the Joint Meeting of the Burien Airport Committee and Des Moines Aviation Advisory Committee on September 17, offered to act as a Legislative Task Force to create a “menu” of state and federal “airport” issues and priorities, including statutory objectives to improve environmental justice from increased aircraft noise and emissions, to share with our local state and federal legislators. Earnest Thompson from Normandy Park, Maria Batayola from El Centro de la Raza, Debi Wagner and Sharyn Parker from Burien Airport Committee, all met on September 25 to complete this task.

Additionally, it was a consensus that the organizations represented should consider high-profile outreach methods in order to facilitate action within all our communities that improves the acceptance and likelihood of enactment by decision-makers.

**State Legislature and Regulatory Agencies:**

1. Request that the Washington State Legislature introduce legislation during the 2020 legislative session that repeals RCW 53.54.020 and inserts language that requires the Airport to initiate a new Part 150 Study *immediately*, and further requests that whenever future projections of air traffic 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 mitigation.
2. Support Rep. Tina Orwall’s intent to introduce legislation in 2020 that repeals Chapter 53.54.030 (5) RCW that limits homeowners to “one-time only” participation for mitigation and adds authorization for a “second chance” program operated by the Airport and perhaps styled after the SFO program. Further, support amending Chapter 53.54.030(3) RCW that limits avigation easements to the duration, or “shelf-life,” projected for new and replacement acoustical products, or similar provisions.
3. Request that the Washington State Legislature introduce legislation that repeals Chapter 53.54.030 (3) RCW that requires homeowners to waive all damages and convey an easement into perpetuity, yet still accept all “noise and noise associated conditions therewith.”
4. Request that the State Attorney General investigate and train Port employees about appropriate application of the State’s Open Meetings Act and to require the Port to record all Stakeholder Advisory Round Table (StART) subcommittee meetings conducted by the Port and open them to the public.
5. Request that the State Department of Ecology enforce “maximum permissible environmental noise levels contained in WAC 173-60-040 during selected hours of day/night and at various decibel levels; and enforced according to WAC 173-60-090. (<https://app.leg.wa.gov/WAC/default.aspx?cite=173-60-040>; <https://app.leg.wa.gov/WAC/default.aspx?cite=173-60-090>; and consistent with RCW 70-107-030 (<https://app.leg.wa.gov/rcw/default.aspx?cite=70.107.030>).

## Legislative Task Force

6. Support Rep. Mike Pellicciotti's SHB 1847 that amends RCW 53.54.010, 53.54.020, and 53.54.030 and expands the dimensions of existing noise impacted areas in order to abate and mitigate noise beyond the statutory six miles and replace with a ten-mile limit instead; extends to 13 miles, instead of six miles, beyond the paved south end of any runway; and extend more than two miles, instead of one mile, from the centerline of any runway extending six miles north and 13 miles south from the paved end of such runway. SHB 1847 also eliminates the provision relating to noise impacted areas extending from an imaginary runway centerline.
7. For transportation projects expected to contribute to criteria and hazardous air pollutants, request the Department of Ecology monitor air quality to determine whether or not the results validate the modeling. See also City of Burien Resolution #408.
8. In anticipation of results from the UW's ultra-fine particle study that concludes in a report before January 2020, request legislative support for creating a new ultra-fine standard statewide, direct the Department of Ecology to conduct monitoring using the new standard, report results within six months, and set penalties for exceedances.

**Federal Legislation and Regulatory Agencies**

1. Support Rep. Adam Smith's introduction of H.R. 6168 known as **The Aviation Impacted Communities Act** that creates Aviation Impacted Community Boards in order "to provide information to airport operators and the FAA concerning disparate impacts and environmental justice related to the operation of commercial or cargo aircraft routes." Community Boards would be authorized to draft reports, commission FAA-led studies, and provide additional noise monitoring to measure aircraft noise.
2. Request that 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, and furthermore, that the AEDT components be amended to consider additional decibels that result when noise is propagated over water.
3. Support Rep. Lynch's HR 976, **Air Traffic Noise and Pollution Expert Consensus Act of 2019** that directs the Administrator of the Federal Aviation Administration to enter into appropriate arrangements with the National Academies of Sciences, Engineering, and Medicine to provide for a study and a report on the health impacts of air traffic noise and pollution, and for other purposes. Once a study is completed, the legislation directs that it be submitted to various federal agencies: Health and Human Services, EPA, Committee on Transportation and Infrastructure; Committee on Oversight and Reform of the House of Representatives; Committee on Commerce, Science, and Transportation; the Committee on Homeland Security; and Governmental Affairs of the Senate
4. Encourage the FAA to conduct a performance audit of the Port's Sound Insulation Program in order to determine why federal funds are slowly requested and expended for eligible SIP projects at Sea-Tac Airport; and to identify methods where service delivery would be improved.

Legislative Task Force

**Outreach Options:**

1. Consider an initiative by local residents that requires the State to establish a 5, 10, 15-year jet reduction plan until the region reaches carbon and ultra-fine particles safety. Included in the initiative would be the creation of a Mitigation Board to finance reimbursement of healthcare remedies and home improvement against aircraft noise for affected citizens; as well as funds to provide air quality monitors at strategic locations, and also air filtration systems within homes surrounding the airport.
3. Organize a hyperloop conference with prominent speakers from industry, commerce, transportation, ecology, foreign and domestic hyperloop projects, Boeing Company, and investors.
4. Request that the Port finance a national conference of all “quiet skies” organizations nationally and internationally.
5. Encourage a regional conference of high school students financed by the State to motivate creation of a youth environmental movement.

**El Centro de la Raza Input to Legislative TF:**

A. For 2019 Puget Sound Regional Council (PSRC) Vision 2050

- a) Seattle will submit an amendment to Vision 2050 at the Oct. 3 GMP Board meeting to have integrated air and land transportation planning consistent with RCW 40.30.080. (The current PSRC aviation study only looks at “unconstrained” demand and supply, lacking key planning components of upstream drivers, analysis, options/alternatives and recommendation.)
- b) Support PSRC’s development of budget items for 2020 WA legislature ask. See C2.) below.

B. For 2019/2020 Port of Seattle Commissioners

- a) Pass policy to affirm Port’s vision of triple bottom line of economic, environmental and social enhancement or wellbeing.
- b) Pass Title 6 of the 1964 Civil Rights Act as amended to ensure equal access to programs, services and facilities. <https://www.justice.gov/crt/fcs/TitleVI> (Provided the above input to the Port’s Equity, Diversity and Inclusion (EDI) program development.)

C. For 2020 Legislative Agenda

- 1) Passage of 1847 <https://app.leg.wa.gov/billsummary?BillNumber=1847&Year=2019&Initiative=False>
  - a) This will expand 6 mile noise abatement area to 10 miles north and south. This will provide Beacon Hill and Federal Way status for attention by Port of Seattle and FAA.
  - b) include air abatement/mitigation.
- 2) Amendment to RCW 47.80.030 to:
  - a) fund PSRC Air transportation planning and compliance capacity,
  - b) require race and social justice (environmental justice analysis) and
  - c) include in the purpose for economic, environmental and social wellbeing or enhancement.

Other Actions:

- Support the HEAL Act which establishes the definition of environmental justice in the state did not pass; yet a budget proviso established the Governor’s Environmental Justice task Force that will develop recommendations including legislation by Oct. 31, 2020:  
<https://healthequity.wa.gov/TheCouncilsWork/EnvironmentalJusticeTaskForceInformation>  
 a) support Governor Inslee’s EJ Task Force on timing for statewide EJ legislation.