From: Evan Maxim
To: Jenn Kester; Zack Shields
Subject: FW: Petition for Review FAA NEPA FONSI ROD
Date: Wednesday, November 26, 2025 8:20:05 AM

FYI -

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 c: 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

-----Original Message-----
From: Evan Maxim
Sent: Tuesday, November 25, 2025 7:53 PM
To: Jonathan Young <jyoung@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: RE: Petition for Review FAA NEPA FONSI ROD

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Date: Wednesday, November 26, 2025 8:19:00 AM

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[cid:image009.png@01DC5E25.EB2B32F0][A blue circle with black letters Description automatically generated]
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From: Jonathan Young
To: Cindy Corsilles; Evan Maxim
Subject: FW: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 7:48:08 PM
Attachments: image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
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PRR

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To: Cindy Corsilles; Evan Maxim
Subject: FW: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 7:48:08 PM
Attachments: image002.png
image003.png
image004.png
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Subject: FW: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 7:47:00 PM
Attachments: image002.png
image003.png
image004.png
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Subject: FW: Petition for Review FAA NEPA FONSI ROD
Date: Wednesday, November 26, 2025 8:20:05 AM

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Pronouns: He / Him / His
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From: Evan Maxim
To: Jonathan Young
Subject: FW: Petition for Review Filed
Date: Tuesday, November 25, 2025 1:34:31 PM
Attachments: image001.png
2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png

Jonathan,

Making sure you saw this before Council this evening.

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Steven Taber <staber@leechtishman.com>
Sent: Tuesday, November 25, 2025 10:52 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Adolfo Bailon <adolfob@burienwa.gov>
Subject: Petition for Review Filed

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the final version of the Petition for Review that we filed yesterday, along with the email from the Court indicating that they received it.

I expect that later today I will receive a notification from the Court Clerk's Office that they have docketed the Petition for Review, assigned a case number, and served the Petition for Review on the FAA. They will also include a file-stamped version of the Petition for Review. I will circulate the file-stamped version of the Petition for Review once I receive it. It will indicate the case number in the header that the Court puts on the document.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: ACMS@ca9.fedcourts.us <ACMS@ca9.fedcourts.us>
Sent: Monday, November 24, 2025 3:51 PM
To: Rita Hansen <rhansen@leechtishman.com>; Steven Taber <staber@leechtishman.com>
Subject: ACMS Portal Submission Received

The Court of Appeals received your submission on 11/24/2025 6:33 PM EST. After the court opens the case, you will be notified of the case number by email.

Please use this reference number when contacting support with questions or concerns: 1044043

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000043

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000044

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000045

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000046

Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

PRR25-593 12192025 000048

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PRR25-593 12192025 000049

I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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Subject: FW: Petition for Review Filed
Date: Tuesday, November 25, 2025 1:34:02 PM
Attachments: image001.png
2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

PRR25-593 12192025 000109

From: Evan Maxim
To: Jonathan Young
Subject: FW: Petition for Review Filed
Date: Tuesday, November 25, 2025 1:34:00 PM
Attachments: image001.png
2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png

Jonathan,

Making sure you saw this before Council this evening.

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Steven Taber <staber@leechtishman.com>
Sent: Tuesday, November 25, 2025 10:52 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Adolfo Bailon <adolfob@burienwa.gov>
Subject: Petition for Review Filed

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the final version of the Petition for Review that we filed yesterday, along with the email from the Court indicating that they received it.

I expect that later today I will receive a notification from the Court Clerk's Office that they have docketed the Petition for Review, assigned a case number, and served the Petition for Review on the FAA. They will also include a file-stamped version of the Petition for Review. I will circulate the file-stamped version of the Petition for Review once I receive it. It will indicate the case number in the header that the Court puts on the document.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: ACMS@ca9.fedcourts.us <ACMS@ca9.fedcourts.us>
Sent: Monday, November 24, 2025 3:51 PM
To: Rita Hansen <rhansen@leechtishman.com>; Steven Taber <staber@leechtishman.com>
Subject: ACMS Portal Submission Received

The Court of Appeals received your submission on 11/24/2025 6:33 PM EST. After the court opens the case, you will be notified of the case number by email.

Please use this reference number when contacting support with questions or concerns: 1044043

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

Subject: FW: Petition for Review Filed
Date: Tuesday, November 25, 2025 11:02:46 AM
Attachments: image001.png
2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Tuesday, November 25, 2025 10:52 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Adolfo Bailon <adolfob@burienwa.gov>
Subject: Petition for Review Filed

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the final version of the Petition for Review that we filed yesterday, along

with the email from the Court indicating that they received it.

I expect that later today I will receive a notification from the Court Clerk's Office that they have docketed the Petition for Review, assigned a case number, and served the Petition for Review on the FAA. They will also include a file-stamped version of the Petition for Review. I will circulate the file-stamped version of the Petition for Review once I receive it. It will indicate the case number in the header that the Court puts on the document.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: ACMS@ca9.fedcourts.us <ACMS@ca9.fedcourts.us>
Sent: Monday, November 24, 2025 3:51 PM
To: Rita Hansen <rhansen@leechtishman.com>; Steven Taber <staber@leechtishman.com>
Subject: ACMS Portal Submission Received

The Court of Appeals received your submission on 11/24/2025 6:33 PM EST. After the court opens the case, you will be notified of the case number by email.

Please use this reference number when contacting support with questions or concerns: 1044043

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

Subject: FW: Petition for Review Filed
Date: Tuesday, November 25, 2025 11:02:44 AM
Attachments: image001.png
2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Tuesday, November 25, 2025 10:52 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Adolfo Bailon <adolfob@burienwa.gov>
Subject: Petition for Review Filed

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the final version of the Petition for Review that we filed yesterday, along

with the email from the Court indicating that they received it.

I expect that later today I will receive a notification from the Court Clerk's Office that they have docketed the Petition for Review, assigned a case number, and served the Petition for Review on the FAA. They will also include a file-stamped version of the Petition for Review. I will circulate the file-stamped version of the Petition for Review once I receive it. It will indicate the case number in the header that the Court puts on the document.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: ACMS@ca9.fedcourts.us <ACMS@ca9.fedcourts.us>
Sent: Monday, November 24, 2025 3:51 PM
To: Rita Hansen <rhansen@leechtishman.com>; Steven Taber <staber@leechtishman.com>
Subject: ACMS Portal Submission Received

The Court of Appeals received your submission on 11/24/2025 6:33 PM EST. After the court opens the case, you will be notified of the case number by email.

Please use this reference number when contacting support with questions or concerns: 1044043

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

Subject: FW: Petition for Review Filed
Date: Tuesday, November 25, 2025 4:05:26 PM
Attachments: image001.png
2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf

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From: Steven Taber <staber@leechtishman.com>
Sent: Tuesday, November 25, 2025 10:52 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Adolfo Bailon <adolfob@burienwa.gov>
Subject: Petition for Review Filed

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the final version of the Petition for Review that we filed yesterday, along with the email from the Court indicating that they received it.

I expect that later today I will receive a notification from the Court Clerk's Office that they have docketed the Petition for Review, assigned a case number, and served the Petition for Review on the FAA. They will also include a file-stamped version of the Petition for Review. I will circulate the file-stamped version of the Petition for Review once I receive it. It will indicate the case number in the header that the Court puts on the document.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

PRR25-593 12192025 000230

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From: ACMS@ca9.fedcourts.us <ACMS@ca9.fedcourts.us>
Sent: Monday, November 24, 2025 3:51 PM
To: Rita Hansen <rhansen@leechtishman.com>; Steven Taber <staber@leechtishman.com>
Subject: ACMS Portal Submission Received

The Court of Appeals received your submission on 11/24/2025 6:33 PM EST. After the court opens the case, you will be notified of the case number by email.

Please use this reference number when contacting support with questions or concerns: 1044043

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000233

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000236

Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

PRR25-593 12192025 000259

XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

PRR25-593 12192025 000260

From: Lesa Ellis
To: Zack Shields
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 1:41:00 PM
Attachments: 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf
image001.png
image002.png
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2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf

Lesa Ellis
Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365
This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

Beginning 4/15/25, I'm teleworking on Mondays.

From: Lesa Ellis
Sent: Friday, November 21, 2025 1:42 PM
To: Jonathan Young <jyoung@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review

Attached are the two documents with a signature line for the city manager. I have added Jonathan's digital signature per his request.

Lesa Ellis
Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

Beginning 4/15/25, I'm teleworking on Mondays.

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: Jonathan Young

Its City Manager

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: Jonathan Young

Name: Jonathan Young

Title: City Manager

Date: 11/21/25

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

From: Evan Maxim
To: Jenn Kester; Zack Shields
Cc: Cindy Corsilles
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 9:31:54 AM
Attachments: image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Fyi

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
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<LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
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Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM

To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
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Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000304

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000305

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000306

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000307

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

PRR25-593 12192025 000313

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From: Evan Maxim
To: Jenn Kester; Zack Shields
Cc: Cindy Corsilles
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 9:31:54 AM
Attachments: image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Fyi

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead

<LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM

To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

PRR25-593 12192025 000320

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
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PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000332

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

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PRR25-593 12192025 000333

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000334

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000335

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

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Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

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This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

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1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

PRR25-593 12192025 000341

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

PRR25-593 12192025 000344

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From: Evan Maxim
To: Jenn Kester; Zack Shields
Cc: Cindy Corsilles
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 9:31:54 AM
Attachments: image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Fyi

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead

<LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM

To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

PRR25-593 12192025 000348

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000360

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000361

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000362

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000363

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

PRR25-593 12192025 000369

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

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After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

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your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

PRR25-593 12192025 000372

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

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The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From:	Evan Maxim
To:	Jenn Kester; Zack Shields
Cc:	Cindy Corsilles
Subject:	FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date:	Friday, November 21, 2025 9:31:00 AM
Attachments:	image010.png image011.png image012.png image013.png image014.png image015.png image016.png image017.png image018.png image019.png 2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx 2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf 2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

---

Fyi

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead

<LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM

To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

PRR25-593 12192025 000376

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000388

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000389

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000390

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000391

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From: Jonathan Young
To: Lesa Ellis
Cc: Evan Maxim; Cindy Corsilles
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 8:37:28 AM
Attachments: image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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    - Any actions necessary by three cities to file an appeal?
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- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

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Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000415

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

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PRR25-593 12192025 000416

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000417

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Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000418

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

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1. Purpose of This Agreement

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This Agreement:

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This Agreement is governed by:

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This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

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ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From: Jonathan Young
To: Lesa Ellis
Cc: Evan Maxim; Cindy Corsilles
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 8:37:28 AM
Attachments: image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
    - Letters of Engagement
    - Interlocal Agreement
- Coordination around appeal of the NEPA review
    - Deadline 11/24
    - Any actions necessary by three cities to file an appeal?
    - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000442

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000443

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000444

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000445

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

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    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

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Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

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Yours very truly,

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Steven M. Taber

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The City of SeaTac, Washington

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Subject: Waivers of Conflicts of Interest and Draft Petition for Review

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Dear All,

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Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

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DD: 626.395.7300
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E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
    - Letters of Engagement
    - Interlocal Agreement
- Coordination around appeal of the NEPA review
    - Deadline 11/24
    - Any actions necessary by three cities to file an appeal?
    - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000469

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000470

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000471

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000472

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

PRR25-593 12192025 000478

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From:	Jonathan Young
To:	Lesa Ellis
Cc:	Evan Maxim; Cindy Corsilles
Subject:	FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date:	Friday, November 21, 2025 8:37:00 AM
Attachments:	image010.png image011.png image012.png image013.png image014.png image015.png image016.png image017.png image018.png image019.png 2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx 2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf 2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

---

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

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    - Any actions necessary by three cities to file an appeal?
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Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

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Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000496

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

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PRR25-593 12192025 000497

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000498

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Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000499

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

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1. Purpose of This Agreement

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Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

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This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

PRR25-593 12192025 000505

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 1:35:41 PM
Attachments:
image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000521

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000522

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000523

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000524

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

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3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

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You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

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your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From: Zack Shields
To: Barbara Mailo
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 12:53:09 PM
Attachments: image010.png
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image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint Representation Conflict Waiver Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Barb,

I received confirmation from Evan. The attached conflict waiver PDFs need to be routed for signatures separately from the Leech Tishman Letter of Engagement to Des Moines and Burien.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy

Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000548

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000549

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000550

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000551

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

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3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

PRR25-593 12192025 000560

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From: Zack Shields
To: Barbara Mailo
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 12:52:00 PM
Attachments: image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Barb,

I received confirmation from Evan. The attached conflict waiver PDFs need to be routed for signatures separately from the Leech Tishman Letter of Engagement to Des Moines and Burien.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH TISHMAN NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy

Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000575

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

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PRR25-593 12192025 000576

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000577

RULE 26.1 DISCLOSURE STATEMENT

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Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000578

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

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The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

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This Agreement is governed by:

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- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

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Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

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Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

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If a conflict arises:

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2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

PRR25-593 12192025 000584

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 12:51:22 PM
Attachments:
image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000602

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000603

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000604

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000605

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

PRR25-593 12192025 000611

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

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representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

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After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

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your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

To:	Evan Maxim; Jenn Kester
Subject:	FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date:	Friday, November 21, 2025 12:30:25 PM
Attachments:	image010.png image011.png image012.png image013.png image014.png image015.png image016.png image017.png image018.png image019.png 2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx 2025.11.21 Joint Representation Conflict Waiver Formal.pdf 2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

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Hi Evan,

Quick question – while Barb is checking whether Jonathan has signed the Leech Tishman LOE (since Lesa didn't respond to the inquiry on the subject yet) and getting ready to distribute to Burien, regarding these COI waivers, do they need to go out with the LT LOE for signatures?

I'm trying to decide whether to convey to Barb that the COIs need to be signed as part of this, or just to focus on getting Burien signed to the LT LOE first to keep things from getting more confusing.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Friday, November 21, 2025 9:32 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>
Cc: Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Fyi

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal

Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000630

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000631

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000632

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000633

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

PRR25-593 12192025 000639

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

PRR25-593 12192025 000642

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From: Zack Shields
To: Barbara Mailo
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 12:09:52 PM
Attachments: image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Friday, November 21, 2025 9:32 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>
Cc: Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Fyi

Regards,

Evan Maxim

PRR25-593 12192025 000644

Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest

arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

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  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
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For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
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v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000658

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

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PRR25-593 12192025 000659

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000660

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000661

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

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1. Purpose of This Agreement

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• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

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Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

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3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

PRR25-593 12192025 000670

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 12:09:33 PM
Attachments: image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Friday, November 21, 2025 9:32 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>
Cc: Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Fyi

Regards,

Evan Maxim
Director

PRR25-593 12192025 000672

Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest

arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't

include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000686

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000688

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000689

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

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3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

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representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

PRR25-593 12192025 000698

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From: Zack Shields
To: Barbara Mailo
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 12:09:00 PM
Attachments: image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf
2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf
2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Friday, November 21, 2025 9:32 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>
Cc: Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Fyi

Regards,

Evan Maxim

PRR25-593 12192025 000700

Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
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[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest

arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
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Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't

include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 000714

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 000715

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000716

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000717

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

PRR25-593 12192025 000723

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

PRR25-593 12192025 000726

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We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

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The City of Burien, Washington

Dated: By: _____

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From: Lesa Ellis
To: Zack Shields
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 1:42:10 PM
Attachments: 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf
image001.png
image002.png
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2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf

Lesa Ellis
Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365

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Beginning 4/15/25, I'm teleworking on Mondays.

From: Lesa Ellis
Sent: Friday, November 21, 2025 1:42 PM
To: Jonathan Young <jyoung@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review

Attached are the two documents with a signature line for the city manager. I have added Jonathan's digital signature per his request.

Lesa Ellis
Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365

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Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

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Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
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- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: Jonathan Young

Its City Manager

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: Jonathan Young

Name: Jonathan Young

Title: City Manager

Date: 11/21/25

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Cindy Corsilles; Jonathan Young; Rebecca Deming; Katherine Caffrey; Liz Stead; Adolfo Bailon
Cc:	Jennifer L. Sanscrainte; Nicholas G. Thomas
Subject:	Filing of the Petition for Review
Date:	Tuesday, November 25, 2025 6:52:47 PM
Attachments:	image001.png 2025.11.24 Petition for Review as filed with timestamp.pdf 2025.11.25 Docketing and Briefing Notice.pdf

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[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the time-stamped version of the Petition for Review filed yesterday in the U.S. Court of Appeals for the Ninth Circuit. The case number is located in the blue header on the document.

In addition, I am attaching the Court's Docketing and Briefing Notice. This contains the preliminary briefing schedule. It highly likely that the most of these will get postponed. However, the one date that will not get postponed is the due date for the Mediation Questionnaire. That is due next Monday, December 1, 2025. Because of Thanksgiving, that does not give us much time. We will file one questionnaire for all three cities. I will endeavor to circulate a draft by Friday, November 28, 2025.

Please let me know if you have any questions, comments, or concerns. If I do not hear from you before then, have a wonderful Thanksgiving.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

---

[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

FILED

NOV 25 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DOCKETING NOTICE

Docket Number:	25-7439
Originating Case Number:	
Case Title:	City of Burien, et al. v. Federal Aviation Administration, et al.

Dear Petitioner(s)/Counsel

Your petition for review has been opened in the United States Court of Appeals for the Ninth Circuit and the docket number shown above has been assigned to this case. You must indicate this docket number in every communication and filing you submit to the court about this case.

You are the petitioner(s) in this court because you filed the petition for review. You must file an opening brief, and you may file a reply brief after the government files their answering brief. The brief due dates are listed in the attached Briefing Schedule. These dates can be extended only by court order.

You must file a Disclosure Statement (Form 34) within 14 days of this notice if your case: (1) involves a non-governmental corporation, association, joint venture, partnership, limited liability company, or similar entity; (2) is a bankruptcy case; (3) is a criminal case involving an organizational victim; or (4) involves review of state court proceedings. See Ninth Circuit Rule 26-1.1.

Petitioners who are filing pro se should refer to the accompanying information packet regarding the filing of informal briefs.

Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

BRIEFING SCHEDULE

Docket Number:	25-7439
Originating Case Number:	
Case Title:	City of Burien, et al. v. Federal Aviation Administration, et al.

Monday, December 1, 2025

City of Des Moines	Mediation Questionnaire due
City of Seatac	Mediation Questionnaire due
City of Burien	Mediation Questionnaire due

Friday, February 13, 2026

City of Burien	Petitioner Opening Brief due
City of Des Moines	Petitioner Opening Brief due
City of Seatac	Petitioner Opening Brief due

Monday, March 16, 2026

Sean Duffy	Respondent Answering Brief due
Federal Aviation Administration	Respondent Answering Brief due
United States Department of Transportation	Respondent Answering Brief due
Bryan Bedford	Respondent Answering Brief due

Optional Reply Brief due 21 days after service of Answering Brief.

Mediation Questionnaire is available here. More information about the Mediation Program is available here.

If the opening brief is not filed by the deadline, the court may dismiss this case. *See* 9th Cir. R. 42-1.

From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Cindy Corsilles; Jonathan Young; Rebecca Deming; Katherine Caffrey; Liz Stead; Adolfo Bailon
Cc:	Jennifer L. Sanscrainte; Nicholas G. Thomas
Subject:	Filing of the Petition for Review
Date:	Tuesday, November 25, 2025 6:52:47 PM
Attachments:	image001.png 2025.11.24 Petition for Review as filed with timestamp.pdf 2025.11.25 Docketing and Briefing Notice.pdf

---

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the time-stamped version of the Petition for Review filed yesterday in the U.S. Court of Appeals for the Ninth Circuit. The case number is located in the blue header on the document.

In addition, I am attaching the Court's Docketing and Briefing Notice. This contains the preliminary briefing schedule. It highly likely that the most of these will get postponed. However, the one date that will not get postponed is the due date for the Mediation Questionnaire. That is due next Monday, December 1, 2025. Because of Thanksgiving, that does not give us much time. We will file one questionnaire for all three cities. I will endeavor to circulate a draft by Friday, November 28, 2025.

Please let me know if you have any questions, comments, or concerns. If I do not hear from you before then, have a wonderful Thanksgiving.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000796

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

---

[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

FILED

NOV 25 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DOCKETING NOTICE

Docket Number:	25-7439
Originating Case Number:	
Case Title:	City of Burien, et al. v. Federal Aviation Administration, et al.

Dear Petitioner(s)/Counsel

Your petition for review has been opened in the United States Court of Appeals for the Ninth Circuit and the docket number shown above has been assigned to this case. You must indicate this docket number in every communication and filing you submit to the court about this case.

You are the petitioner(s) in this court because you filed the petition for review. You must file an opening brief, and you may file a reply brief after the government files their answering brief. The brief due dates are listed in the attached Briefing Schedule. These dates can be extended only by court order.

You must file a Disclosure Statement (Form 34) within 14 days of this notice if your case: (1) involves a non-governmental corporation, association, joint venture, partnership, limited liability company, or similar entity; (2) is a bankruptcy case; (3) is a criminal case involving an organizational victim; or (4) involves review of state court proceedings. See Ninth Circuit Rule 26-1.1.

Petitioners who are filing pro se should refer to the accompanying information packet regarding the filing of informal briefs.

Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

BRIEFING SCHEDULE

Docket Number:	25-7439
Originating Case Number:	
Case Title:	City of Burien, et al. v. Federal Aviation Administration, et al.

Monday, December 1, 2025

City of Des Moines	Mediation Questionnaire due
City of Seatac	Mediation Questionnaire due
City of Burien	Mediation Questionnaire due

Friday, February 13, 2026

City of Burien	Petitioner Opening Brief due
City of Des Moines	Petitioner Opening Brief due
City of Seatac	Petitioner Opening Brief due

Monday, March 16, 2026

Sean Duffy	Respondent Answering Brief due
Federal Aviation Administration	Respondent Answering Brief due
United States Department of Transportation	Respondent Answering Brief due
Bryan Bedford	Respondent Answering Brief due

Optional Reply Brief due 21 days after service of Answering Brief.

Mediation Questionnaire is available here. More information about the Mediation Program is available here.

If the opening brief is not filed by the deadline, the court may dismiss this case. *See* 9th Cir. R. 42-1.

From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Cindy Corsilles; Jonathan Young; Rebecca Deming; Katherine Caffrey; Liz Stead; Adolfo Bailon
Cc:	Jennifer L. Sanscrainte; Nicholas G. Thomas
Subject:	Filing of the Petition for Review
Date:	Tuesday, November 25, 2025 6:52:47 PM
Attachments:	image001.png 2025.11.24 Petition for Review as filed with timestamp.pdf 2025.11.25 Docketing and Briefing Notice.pdf

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[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the time-stamped version of the Petition for Review filed yesterday in the U.S. Court of Appeals for the Ninth Circuit. The case number is located in the blue header on the document.

In addition, I am attaching the Court's Docketing and Briefing Notice. This contains the preliminary briefing schedule. It highly likely that the most of these will get postponed. However, the one date that will not get postponed is the due date for the Mediation Questionnaire. That is due next Monday, December 1, 2025. Because of Thanksgiving, that does not give us much time. We will file one questionnaire for all three cities. I will endeavor to circulate a draft by Friday, November 28, 2025.

Please let me know if you have any questions, comments, or concerns. If I do not hear from you before then, have a wonderful Thanksgiving.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

FILED

NOV 25 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DOCKETING NOTICE

Docket Number:	25-7439
Originating Case Number:	
Case Title:	City of Burien, et al. v. Federal Aviation Administration, et al.

Dear Petitioner(s)/Counsel

Your petition for review has been opened in the United States Court of Appeals for the Ninth Circuit and the docket number shown above has been assigned to this case. You must indicate this docket number in every communication and filing you submit to the court about this case.

You are the petitioner(s) in this court because you filed the petition for review. You must file an opening brief, and you may file a reply brief after the government files their answering brief. The brief due dates are listed in the attached Briefing Schedule. These dates can be extended only by court order.

You must file a Disclosure Statement (Form 34) within 14 days of this notice if your case: (1) involves a non-governmental corporation, association, joint venture, partnership, limited liability company, or similar entity; (2) is a bankruptcy case; (3) is a criminal case involving an organizational victim; or (4) involves review of state court proceedings. See Ninth Circuit Rule 26-1.1.

Petitioners who are filing pro se should refer to the accompanying information packet regarding the filing of informal briefs.

Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

BRIEFING SCHEDULE

Docket Number:	25-7439
Originating Case Number:	
Case Title:	City of Burien, et al. v. Federal Aviation Administration, et al.

Monday, December 1, 2025

City of Des Moines	Mediation Questionnaire due
City of Seatac	Mediation Questionnaire due
City of Burien	Mediation Questionnaire due

Friday, February 13, 2026

City of Burien	Petitioner Opening Brief due
City of Des Moines	Petitioner Opening Brief due
City of Seatac	Petitioner Opening Brief due

Monday, March 16, 2026

Sean Duffy	Respondent Answering Brief due
Federal Aviation Administration	Respondent Answering Brief due
United States Department of Transportation	Respondent Answering Brief due
Bryan Bedford	Respondent Answering Brief due

Optional Reply Brief due 21 days after service of Answering Brief.

Mediation Questionnaire is available here. More information about the Mediation Program is available here.

If the opening brief is not filed by the deadline, the court may dismiss this case. *See* 9th Cir. R. 42-1.

From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Cindy Corsilles; Jonathan Young; Rebecca Deming; Katherine Caffrey; Liz Stead; Adolfo Bailon
Cc:	Jennifer L. Sanscrainte; Nicholas G. Thomas
Subject:	Filing of the Petition for Review
Date:	Tuesday, November 25, 2025 6:52:47 PM
Attachments:	image001.png 2025.11.24 Petition for Review as filed with timestamp.pdf 2025.11.25 Docketing and Briefing Notice.pdf

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the time-stamped version of the Petition for Review filed yesterday in the U.S. Court of Appeals for the Ninth Circuit. The case number is located in the blue header on the document.

In addition, I am attaching the Court's Docketing and Briefing Notice. This contains the preliminary briefing schedule. It highly likely that the most of these will get postponed. However, the one date that will not get postponed is the due date for the Mediation Questionnaire. That is due next Monday, December 1, 2025. Because of Thanksgiving, that does not give us much time. We will file one questionnaire for all three cities. I will endeavor to circulate a draft by Friday, November 28, 2025.

Please let me know if you have any questions, comments, or concerns. If I do not hear from you before then, have a wonderful Thanksgiving.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

---

[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

FILED

NOV 25 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DOCKETING NOTICE

Docket Number:	25-7439
Originating Case Number:	
Case Title:	City of Burien, et al. v. Federal Aviation Administration, et al.

Dear Petitioner(s)/Counsel

Your petition for review has been opened in the United States Court of Appeals for the Ninth Circuit and the docket number shown above has been assigned to this case. You must indicate this docket number in every communication and filing you submit to the court about this case.

You are the petitioner(s) in this court because you filed the petition for review. You must file an opening brief, and you may file a reply brief after the government files their answering brief. The brief due dates are listed in the attached Briefing Schedule. These dates can be extended only by court order.

You must file a Disclosure Statement (Form 34) within 14 days of this notice if your case: (1) involves a non-governmental corporation, association, joint venture, partnership, limited liability company, or similar entity; (2) is a bankruptcy case; (3) is a criminal case involving an organizational victim; or (4) involves review of state court proceedings. See Ninth Circuit Rule 26-1.1.

Petitioners who are filing pro se should refer to the accompanying information packet regarding the filing of informal briefs.

Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

BRIEFING SCHEDULE

Docket Number:	25-7439
Originating Case Number:	
Case Title:	City of Burien, et al. v. Federal Aviation Administration, et al.

Monday, December 1, 2025

City of Des Moines	Mediation Questionnaire due
City of Seatac	Mediation Questionnaire due
City of Burien	Mediation Questionnaire due

Friday, February 13, 2026

City of Burien	Petitioner Opening Brief due
City of Des Moines	Petitioner Opening Brief due
City of Seatac	Petitioner Opening Brief due

Monday, March 16, 2026

Sean Duffy	Respondent Answering Brief due
Federal Aviation Administration	Respondent Answering Brief due
United States Department of Transportation	Respondent Answering Brief due
Bryan Bedford	Respondent Answering Brief due

Optional Reply Brief due 21 days after service of Answering Brief.

Mediation Questionnaire is available here. More information about the Mediation Program is available here.

If the opening brief is not filed by the deadline, the court may dismiss this case. *See* 9th Cir. R. 42-1.

From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Cindy Corsilles; Jonathan Young; Rebecca Deming; Katherine Caffrey; Liz Stead; Adolfo Bailon
Cc:	Jennifer L. Sanscrainte; Nicholas G. Thomas
Subject:	Filing of the Petition for Review
Date:	Tuesday, November 25, 2025 6:52:48 PM
Attachments:	image001.png 2025.11.24 Petition for Review as filed with timestamp.pdf 2025.11.25 Docketing and Briefing Notice.pdf

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[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the time-stamped version of the Petition for Review filed yesterday in the U.S. Court of Appeals for the Ninth Circuit. The case number is located in the blue header on the document.

In addition, I am attaching the Court's Docketing and Briefing Notice. This contains the preliminary briefing schedule. It highly likely that the most of these will get postponed. However, the one date that will not get postponed is the due date for the Mediation Questionnaire. That is due next Monday, December 1, 2025. Because of Thanksgiving, that does not give us much time. We will file one questionnaire for all three cities. I will endeavor to circulate a draft by Friday, November 28, 2025.

Please let me know if you have any questions, comments, or concerns. If I do not hear from you before then, have a wonderful Thanksgiving.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 000898

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 000899

Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

---

[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

FILED

NOV 25 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DOCKETING NOTICE

Docket Number:	25-7439
Originating Case Number:	
Case Title:	City of Burien, et al. v. Federal Aviation Administration, et al.

Dear Petitioner(s)/Counsel

Your petition for review has been opened in the United States Court of Appeals for the Ninth Circuit and the docket number shown above has been assigned to this case. You must indicate this docket number in every communication and filing you submit to the court about this case.

You are the petitioner(s) in this court because you filed the petition for review. You must file an opening brief, and you may file a reply brief after the government files their answering brief. The brief due dates are listed in the attached Briefing Schedule. These dates can be extended only by court order.

You must file a Disclosure Statement (Form 34) within 14 days of this notice if your case: (1) involves a non-governmental corporation, association, joint venture, partnership, limited liability company, or similar entity; (2) is a bankruptcy case; (3) is a criminal case involving an organizational victim; or (4) involves review of state court proceedings. See Ninth Circuit Rule 26-1.1.

Petitioners who are filing pro se should refer to the accompanying information packet regarding the filing of informal briefs.

Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

BRIEFING SCHEDULE

Docket Number:	25-7439
Originating Case Number:	
Case Title:	City of Burien, et al. v. Federal Aviation Administration, et al.

Monday, December 1, 2025

City of Des Moines	Mediation Questionnaire due
City of Seatac	Mediation Questionnaire due
City of Burien	Mediation Questionnaire due

Friday, February 13, 2026

City of Burien	Petitioner Opening Brief due
City of Des Moines	Petitioner Opening Brief due
City of Seatac	Petitioner Opening Brief due

Monday, March 16, 2026

Sean Duffy	Respondent Answering Brief due
Federal Aviation Administration	Respondent Answering Brief due
United States Department of Transportation	Respondent Answering Brief due
Bryan Bedford	Respondent Answering Brief due

Optional Reply Brief due 21 days after service of Answering Brief.

Mediation Questionnaire is available here. More information about the Mediation Program is available here.

If the opening brief is not filed by the deadline, the court may dismiss this case. *See* 9th Cir. R. 42-1.

From: Barbara Mailo
To: Evan Maxim
Date: Friday, November 21, 2025 2:37:25 PM

> **Evan Maxim**
>
> Hi Barb - can you confirm you are routing the letters / etc for signature? It is very important that they are signed today...

Evan, the Leech Tishman Engagement Letter signed by JY was sent via Adobe Sign to Adolfo. Zack sent him a heads up on email that it's coming his way via Adobe Sign. Also routed the JY signed Conflict Waiver Vashon Island Fair Skies and JY signed Joint Representation Conflict Waiver to both Adolfo and Katherine Caffrey to sign. You and Zack were copied on all of these in Adobe sign so you should be receiving emails after each party has signed each doc.

From: Barbara Mailo
To: Evan Maxim
Date: Friday, November 21, 2025 2:37:25 PM

Evan Maxim

Hi Barb - can you confirm you are routing the letters / etc for signature? It is very important that they are signed today...

Evan, the Leech Tishman Engagement Letter signed by JY was sent via Adobe Sign to Adolfo. Zack sent him a heads up on email that it's coming his way via Adobe Sign. Also routed the JY signed Conflict Waiver Vashon Island Fair Skies and JY signed Joint Representation Conflict Waiver to both Adolfo and Katherine Caffrey to sign. You and Zack were copied on all of these in Adobe sign so you should be receiving emails after each party has signed each doc.

From: Jonathan Young
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 4:09:58 PM
Attachments: 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From:	Jonathan Young
To:	Jonathan Young
Cc:	Cindy Corsilles
Bcc:	City Council
Subject:	Petition for Review FAA NEPA FONSI ROD
Date:	Tuesday, November 25, 2025 4:09:00 PM
Attachments:	2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf image002.png image003.png image004.png image005.png image006.png image007.png image008.png image009.png image010.png

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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From: Jonathan Young
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 4:09:58 PM
Attachments: 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From: Jonathan Young
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 4:09:58 PM
Attachments: 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From: Jonathan Young
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 4:09:58 PM
Attachments: 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From: Jonathan Young
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 4:09:58 PM
Attachments: 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
image002.png
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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From: Jonathan Young
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 4:09:58 PM
Attachments: 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
image002.png
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image006.png
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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From: Jonathan Young
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 4:09:58 PM
Attachments: 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From:	Jonathan Young
To:	Jonathan Young
Cc:	Cindy Corsilles
Subject:	Petition for Review FAA NEPA FONSI ROD
Date:	Tuesday, November 25, 2025 4:09:58 PM
Attachments:	2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf image002.png image003.png image004.png image005.png image006.png image007.png image008.png image009.png image010.png

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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From: Jonathan Young
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 4:09:58 PM
Attachments: 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From: Jonathan Young
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 4:09:58 PM
Attachments: 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf
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Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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PRR

From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Cindy Corsilles; Jonathan Young; Katherine Caffrey; Rebecca Deming; Liz Stead; Adolfo Bailon
Subject:	Petition for Review Filed
Date:	Tuesday, November 25, 2025 10:52:16 AM
Attachments:	image001.png 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the final version of the Petition for Review that we filed yesterday, along with the email from the Court indicating that they received it.

I expect that later today I will receive a notification from the Court Clerk's Office that they have docketed the Petition for Review, assigned a case number, and served the Petition for Review on the FAA. They will also include a file-stamped version of the Petition for Review. I will circulate the file-stamped version of the Petition for Review once I receive it. It will indicate the case number in the header that the Court puts on the document.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: ACMS@ca9.fedcourts.us <ACMS@ca9.fedcourts.us>
Sent: Monday, November 24, 2025 3:51 PM
To: Rita Hansen <rhansen@leechtishman.com>; Steven Taber <staber@leechtishman.com>
Subject: ACMS Portal Submission Received

The Court of Appeals received your submission on 11/24/2025 6:33 PM EST. After the court opens the case, you will be notified of the case number by email.

Please use this reference number when contacting support with questions or concerns: 1044043

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Cindy Corsilles; Jonathan Young; Katherine Caffrey; Rebecca Deming; Liz Stead; Adolfo Bailon
Subject:	Petition for Review Filed
Date:	Tuesday, November 25, 2025 10:52:14 AM
Attachments:	image001.png 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the final version of the Petition for Review that we filed yesterday, along with the email from the Court indicating that they received it.

I expect that later today I will receive a notification from the Court Clerk's Office that they have docketed the Petition for Review, assigned a case number, and served the Petition for Review on the FAA. They will also include a file-stamped version of the Petition for Review. I will circulate the file-stamped version of the Petition for Review once I receive it. It will indicate the case number in the header that the Court puts on the document.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: ACMS@ca9.fedcourts.us <ACMS@ca9.fedcourts.us>
Sent: Monday, November 24, 2025 3:51 PM
To: Rita Hansen <rhansen@leechtishman.com>; Steven Taber <staber@leechtishman.com>
Subject: ACMS Portal Submission Received

The Court of Appeals received your submission on 11/24/2025 6:33 PM EST. After the court opens the case, you will be notified of the case number by email.

Please use this reference number when contacting support with questions or concerns: 1044043

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Cindy Corsilles; Jonathan Young; Katherine Caffrey; Rebecca Deming; Liz Stead; Adolfo Bailon
Subject:	Petition for Review Filed
Date:	Tuesday, November 25, 2025 10:52:14 AM
Attachments:	image001.png 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the final version of the Petition for Review that we filed yesterday, along with the email from the Court indicating that they received it.

I expect that later today I will receive a notification from the Court Clerk's Office that they have docketed the Petition for Review, assigned a case number, and served the Petition for Review on the FAA. They will also include a file-stamped version of the Petition for Review. I will circulate the file-stamped version of the Petition for Review once I receive it. It will indicate the case number in the header that the Court puts on the document.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: ACMS@ca9.fedcourts.us <ACMS@ca9.fedcourts.us>
Sent: Monday, November 24, 2025 3:51 PM
To: Rita Hansen <rhansen@leechtishman.com>; Steven Taber <staber@leechtishman.com>
Subject: ACMS Portal Submission Received

The Court of Appeals received your submission on 11/24/2025 6:33 PM EST. After the court opens the case, you will be notified of the case number by email.

Please use this reference number when contacting support with questions or concerns: 1044043

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Cindy Corsilles; Jonathan Young; Katherine Caffrey; Rebecca Deming; Liz Stead; Adolfo Bailon
Subject:	Petition for Review Filed
Date:	Tuesday, November 25, 2025 10:52:14 AM
Attachments:	image001.png 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the final version of the Petition for Review that we filed yesterday, along with the email from the Court indicating that they received it.

I expect that later today I will receive a notification from the Court Clerk's Office that they have docketed the Petition for Review, assigned a case number, and served the Petition for Review on the FAA. They will also include a file-stamped version of the Petition for Review. I will circulate the file-stamped version of the Petition for Review once I receive it. It will indicate the case number in the header that the Court puts on the document.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: ACMS@ca9.fedcourts.us <ACMS@ca9.fedcourts.us>
Sent: Monday, November 24, 2025 3:51 PM
To: Rita Hansen <rhansen@leechtishman.com>; Steven Taber <staber@leechtishman.com>
Subject: ACMS Portal Submission Received

The Court of Appeals received your submission on 11/24/2025 6:33 PM EST. After the court opens the case, you will be notified of the case number by email.

Please use this reference number when contacting support with questions or concerns: 1044043

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

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obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

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From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Cindy Corsilles; Jonathan Young; Katherine Caffrey; Rebecca Deming; Liz Stead; Adolfo Bailon
Subject:	Petition for Review Filed
Date:	Tuesday, November 25, 2025 10:52:18 AM
Attachments:	image001.png 2025-11-24 Final Petition for Review - SEA SAMP Three Cities w Exhibit.pdf

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

Attached is the final version of the Petition for Review that we filed yesterday, along with the email from the Court indicating that they received it.

I expect that later today I will receive a notification from the Court Clerk's Office that they have docketed the Petition for Review, assigned a case number, and served the Petition for Review on the FAA. They will also include a file-stamped version of the Petition for Review. I will circulate the file-stamped version of the Petition for Review once I receive it. It will indicate the case number in the header that the Court puts on the document.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: ACMS@ca9.fedcourts.us <ACMS@ca9.fedcourts.us>
Sent: Monday, November 24, 2025 3:51 PM
To: Rita Hansen <rhansen@leechtishman.com>; Steven Taber <staber@leechtishman.com>
Subject: ACMS Portal Submission Received

The Court of Appeals received your submission on 11/24/2025 6:33 PM EST. After the court opens the case, you will be notified of the case number by email.

Please use this reference number when contacting support with questions or concerns: 1044043

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC,
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

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Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

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RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 24, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

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Exhibit A

U.S. Department of Transportation

Federal Aviation Administration

Northwest Mountain Region

Finding of No Significant Impact/

Record of Decision

For the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport

Seattle, Washington

EAXX-021-12-ARP-17297535477

September 2025

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I. Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) and provides the final agency determinations and approvals for the federal actions necessary to implement the Sustainable Airport Master Plan (SAMP) Near-Term projects (NTPs) at the Seattle-Tacoma International Airport (SEA). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated September 2025, which is hereby incorporated by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and in accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*[1] and FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The FEA documents the evaluation of the reasonably foreseeable environmental impacts associated with the proposed improvements.

II. Background (Section 1.2 of the FEA)

SEA is a commercial service airport located primarily within the City of SeaTac in southern King County, Washington, approximately 12 miles south of downtown Seattle and 20 miles north of the City of Tacoma (Exhibit 3-1 of the FEA). SEA is generally bound by SR 99 to the east, SR 509 to the west, S. 142nd Place to the north, and S. 200th Street to the south. Additional land owned by the Port for runway protection and noise compatibility extends northward to S. 136th Street and southward to S. 216th Street.

In 2015, SEA initiated the SAMP, which identified a Long-Term Vision (LTV) to accommodate future passenger levels and address identified needs for SEA over the 20-year planning horizon (through 2034). One of the overarching needs identified was to improve the experience for passengers at SEA. The current passenger processing functions, such as on-site parking, check-in hall, security screening, holdrooms, and the number of gates, were limited or undersized for the number of passengers SEA served in 2018 and continue to be undersized. The results of these limitations are crowded spaces, long lines, and delayed flights. These problems are expected to worsen as passenger demand increases.

The SAMP ultimately concluded that even with the implementation of the LTV, unconstrained 20-year demand would result in airfield congestion and high levels of delay. This congestion and delay would occur primarily due to limitations in the airfield/airspace system. The Port of Seattle (Port) and FAA determined that addressing these long-term airfield/airspace limitations is outside of the scope of SAMP and that a more comprehensive airfield and airspace planning study is needed to understand if additional actions would be required before the LTV could be implemented. Because additional planning is needed, the FAA determined that the LTV was not yet ready for environmental review.

The Port developed the NTPs to address near-term needs. The NTPs include 31 projects that improve the efficiency and safety of SEA, access to SEA, and support facilities for the airlines and SEA. Because the NTPs focus on a more immediate timeframe and address needs that are distinct from what may come from future planning, the NTPs are independent from the LTV. The FAA determined that the NTPs were ready for environmental review.

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[1] FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, was published on July 3, 2025. Projects that commence after July 3, 2025, are required to comply with FAA Order 1050.1G, while those projects already underway by that date may follow FAA Order 1050.1F. This EA relies upon FAA Order 1050.1F, the Fiscal Responsibility Act of 2023, Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* EO 14154, *Unleashing American Energy,* and the Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County,* 605 U.S. _ (2025).

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III. Proposed Action (Section 1.3 of the FEA)

The NTPs are collectively referred to as the Proposed Action, which are described in Table 1-2 and shown on Exhibit 1-1 of the FEA. The Proposed Action also includes the construction and operation of associated program support projects, operational infrastructure improvements, and stormwater drainage system and industrial wastewater system improvements necessary for the implementation of the NTPs. The Proposed Action includes:

- A01 – Extension of parallel Taxiways A and B by approximately 1800 feet.
- A02 – Construction of Runway 16R/34L blast pads.
- A03 – Taxiway C/D reconfiguration and Runway Incursion Mitigation (RIM).
- A04 – Relocation of portion of Taxiway B to meet standards.
- A05 – Construction of a north holding pad (approximately 90,000 square feet).
- A06 – Construction of a new high-speed exit for Runway 34L arrivals between Taxiways J and E.
- A07 – Taxiway D extension of approximately 500 from Runway 16C/34C west to Taxiway T.
- A08 – North cargo hardstand construction (approximately 360,000 square feet).
- A09 – Construction of a central hardstand (approximately 292,000 square feet).
- A10 – Taxiway fillets construction.
- T01 – Construction of a multi-level terminal concourse and aircraft apron (up to 19 gates).
- T02 – Construction of an additional multi-level passenger terminal and parking garage.
- C01 – Cargo 4 warehouse construction to replace Cargo 6 warehouse demolished for T01.
- C02 – Construction of a cargo warehouse north of State Route (SR) 518.
- C03 – Cargo warehouse construction north of SR 518.
- L01 – Relocation of North Airport Expressway southbound lanes for the construction A09 and T01.
- L02 – Elevated busway and stations at the Main Terminal, Second Terminal, and Rental Car Facility.
- L03 – Construction of a loop ramp and split-level curbsides for the Second Terminal.
- L04 – Northeast ground transportation center construction on north side of existing parking garage.
- L05 – Relocation of the ground transportation holding lot displaced by L02 north of SR 518.
- L07 – Construction of employee parking garage north of SR 518.
- S01 – Fuel farm expansion (four new settling tanks and one blending tank).
- S02 – Relocation of ARFF facility for construction of T01.
- S03 – Construction of secondary ARFF facility.
- S04 – Relocation of the fuel rack from Cargo 6 to Cargo 3 for construction of T01.
- S05 – Triculator relocation to north cargo area for construction of A09.
- S06 – Relocation of deicing tanks to a northern and southern location.
- S07 – Construction of westside maintenance campus.
- S08 – Airline support building construction in north cargo for construction of T01 and A08.
- S09 – Expansion of the AMB/AFCO III building to replace displaced airline support facilities.
- S10 – Construction of centralized receiving and distribution center north of SR 518.
- Expansion of stormwater/industrial wastewater infrastructure.
- Construction of stormwater management facilities and storm drainage vaults.
- Installation of utilities (sewer, water, natural gas, fuel, and IT).
- Central mechanical plant upgrades.

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Section 163 of the FAA Reauthorization Act of 2018, H. R. 302, (Public Law (P.L.) 115-254) and Section 743 of the FAA Reauthorization Act of 2024, H.R. 3935 (P.L. 118-63) limited FAA's approval authority to portions of Airport Layout Plans (ALPs) that meet certain statutorily defined criteria and prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions exist. While the Proposed Action details the Port's intended development at SEA, only some of these development components now are subject to federal approval and/or funding. However, the entire Proposed Action is analyzed in the FEA.

The airfield projects (A01-A10) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids (NAVAIDs)) and associated infrastructure. These relocations would also require modifications to existing procedures. The extent of these relocations and modifications are not known at this time and would be determined during the design of the Proposed Action. The analysis in the FEA includes details that are currently known.

IV. Purpose and Need (Section 1.6 of the FEA)

The purpose and need for the Proposed Action is to accommodate 56 MAP (million annual passengers) at an optimal level of service (LOS) and projected cargo levels; provide airfield infrastructure that meets current FAA airport design standards; enhance the efficiency of the overall taxiway layout; and meet projected fuel storage demand including SAF initiatives.

The Proposed Action addresses five independent needs that affect the future ability of SEA to maintain its essential function as the primary commercial airport in the Pacific Northwest (Section 1.6.2 of the FEA). The five needs are:

1. Insufficient passenger processing facilities and gates to accommodate 56 MAP at an optimal LOS.
2. Insufficient facilities to accommodate projected cargo levels.
3. Portions of the airfield no longer meet current FAA airport design standards.
4. Inefficient / inadequate taxiway layout.
5. Lack of fuel storage to meet projected demand and the Port's SAF initiative.

Based on these needs, the purposes of the Proposed Action are to provide (Section 1.6.3 of the FEA):

1. Passenger processing facilities and gates to accommodate projected 56 MAP at an optimal LOS.
2. Cargo facilities to accommodate projected cargo demand.
3. Airfield infrastructure to meet current FAA airport design standards.
4. Improvements to enhance the efficiency of the overall taxiway layout.
5. Additional fuel storage facilities to meet projected demand and the Port's SAF initiative.

V. Agency Actions and Approvals (Section 1.4 of the FEA)

The FAA actions, determinations, and approvals necessary for the Proposed Action to proceed include:

- Unconditional approval of the ALP to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 U.S.C. § 47107(a)(16)(B).
- Approval and construction/relocation of FAA-owned equipment and associated infrastructure as well as any resulting flight procedures updates from the relocation of navigational aids.
- Release of federal obligations to use property for non-aeronautical purposes, including any obligations under 49 U.S.C. § 47107, in accordance with FAA Order 5190.6B.
- Approval of changes to the airport certification manual pursuant to 14 CFR Part 139.
- Determination of project eligibility for Airport Improvement Program (AIP) funding and to impose Passenger Facility Charges in accordance with 49 U.S.C. §§ 47101-47144.

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VI. Alternatives (Chapter 2 of the FEA)

The FEA identified and evaluated reasonable alternatives that may meet the purpose and need in accordance with NEPA and FAA Orders 1050.1F and 5050.4B. In addition, in accordance with FAA Order 1050.1F Section 6-2.1(d), the No Action alternative was carried forward as a baseline for comparison to the other action alternatives. Chapter 2 of the FEA presents the alternatives analysis.

Section 2.3 of the FEA explains the alternative evaluation process and provides the alternatives that were considered, which were derived from the SAMP process and from public input provided during the scoping process. The first level screening examined whether the alternative met the Purpose and Need. If the alternative satisfied the Purpose and Need, it moved to the second level. The second level screening evaluated which alternatives were reasonable and feasible based on a qualitative evaluation of factors related to operational impacts and cost. Alternatives that were determined to be reasonable and feasible were carried forward for detailed environmental impact analysis.

Based on the analysis of the alternatives for the individual needs, the FEA evaluated three alternatives:

Alternative 1 - No Action (Section 2.4 of the FEA):

The No Action Alternative assumes none of the federal actions or physical improvements included in the Proposed Action would occur. The No Action includes projects that have recently been constructed, or would be constructed by 2032, as part of the future base case. This includes the North Satellite Redevelopment program, International Arrivals Facility, Terminal Renovations, C Concourse Expansion, A Concourse Building Expansion, Widen Arrivals Drive project, and Runway Renumbering. These projects are independent from the Proposed Action and have received or will receive separate environmental reviews and approvals.

Alternative 2 - Proposed Action (Section 2.6 of the FEA):

Alternative 2, Proposed Action, represents a composite of Alternative 1-A (T01 and T02), Alternative 2-A (A08, C01, C02, C03, S07, S08, and S09), Alternative 3-A1 (A02), Alternative 3-B (A03 and A10), Alternative 3-C1 (A04), Alternative 4-A (A01), Alternative 4-B (A06 and A07), and Alternative 5-A (S01).

Alternative 3 - Hybrid Terminal Option (Section 2.6 of the FEA):

Alternative 3, the Hybrid Terminal Option, includes the same elements as Alternative 2: Proposed Action except for the terminal and gate location (Alternative 1-E instead of Alternative 1-A).

VII. Affected Environment (Chapter 3 of the FEA)

SEA is located primarily within the City of SeaTac in southern King County, Washington on approximately 2,800 acres of land. Cities nearest to SEA include Burien, Des Moines, Normandy Park, SeaTac, and Tukwila, as well as portions of unincorporated King County. The area around SEA has the highly developed character of a mature suburban community. Land uses directly adjacent to airport property include park land, residential, industrial, and commercial.

The General Study Area (GSA) (Exhibit 3-2 in the FEA) represents the area where reasonably foreseeable direct or indirect impacts may occur due to the implementation of the Proposed Action or alternatives. The GSA includes an area encompassing 3,692 acres (5.8 square miles). The GSA is loosely bounded by S. 140th Street to the north, 33rd Avenue S. to the east, S. 20th Street to the south, and Des Moines Way to the west. The study area for certain resources varies from the GSA. Where that occurs, the applicable study area is explained in the resource section.

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The GSA and Endangered Species Act (ESA) Study Area (Figure 3-3 in the FEA) is composed primarily of developed areas (buildings and paved surfaces) with areas of vegetated habitats (managed strips adjacent to runways and taxiways, open fields and shrublands, forested areas, stormwater ponds, and wetlands). Vegetated habitats are actively managed to prevent flight corridor obstructions and wildlife hazards. Common bird species present within the GSA include waterfowl (geese and ducks), gulls, pigeons, starlings, and raptors (hawks and owls). Common animals include coyotes, mice, rabbits, racoons, beavers, and several fish species. Several ESA-listed species and designated critical habitat have the potential to occur within the ESA Study Area (Table 3-5 of the FEA).

Current activities at SEA that generate or involve the use of hazardous materials include aircraft fueling; maintenance of aircraft, GSE, motor vehicles, buildings, and Airport grounds; various Port maintenance shop operations; and construction activities. SEA is considered a federal Small Quantity Generator by the US Environmental Protection Agency (EPA) and a State of Washington Medium Quantity Generator, generating 19,891 pounds of hazardous waste in 2022. Based on a review of the WSDE's *What's in My Neighborhood* mapping tool, there have been 58 documented incidents of contamination within the GSA, of which 22 are within SEA property (Table 3-13 in the FEA). Per- and polyfluoroalkyl substances (PFAS) at SEA were primarily found in aqueous film-forming foam (AFFF), a Class B firefighting foam used to fight aviation and other chemical fires. A review of the Port's records indicates a total of 16 areas where AFFF has been deployed for an incident, used for training purposes, stored, or identified in water sampling (Sites H-59 through H-75 in Table 3-13).

SEA uses a centralized waste collection system divided between terminal and support areas and airfield areas. Municipal Solid Wastes (MSW or garbage) collected from terminal and support areas are transported to central collection sites on SEA, where MSW vendors who are under contract with the Port collect them for offsite disposal. Flight kitchens, some cargo operators, and airline maintenance hangars manage their waste separately from the Airport system. Each centralized waste collection site has at least one compactor for comingled recyclables and one compactor for garbage. Additional containers for compostable material, used cooking oil, scrap metal, construction debris, and garbage are located at various terminal loading docks and remote collection sites. Multiple service providers haul garbage, recyclables, compostable waste, and other waste from compactors, drop boxes, and dumpsters in the Port's central waste collection sites.

Stell Environmental Enterprises, Inc completed a cultural resource survey of the Area of Potential Effect (Exhibit 3-6 in the FEA) in February 2021 and documented four archaeological sites and 12 historic properties. None of the sites were determined to be eligible for listing on the National Register of Historic Places (NRHP). Fieldwork Studio LLC (Fieldwork) completed a focused reconnaissance survey in December 2023 and an evaluation of the Washington Memorial Park Cemetery in March 2024. None of the properties documented were determined to be eligible for listing on the NRHP.

The 65 DNL noise contour of the Existing (2022) Condition encompasses 8.8 total square miles within the cities of Burien, Des Moines, and SeaTac, and unincorporated King County (Exhibit 3-9 in the FEA). The 65 DNL contour extends approximately 3.4 miles to the north and 2.8 miles south of SEA and is made up of a mix of residential, commercial, and industrial land uses.

The surface transportation study focused on 108 traffic intersections where direct or indirect traffic impacts may occur due to implementation of the Action Alternatives (Exhibit 3-15 in the FEA). The study measured average vehicle delay (in seconds) and LOS at each intersection. The intersection LOS was ranked from A to F, with A representing a free flow condition, and F representing a high level of congestion. Intersection LOS results were compared to mobility standards to identify intersections that do not meet mobility standards. Of the 108 existing study intersections analyzed, 102 currently meet mobility standards (LOS).

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The GSA is in King County, within the nearshore sub-watershed of Washington's Water Resource Inventory Area 9 and within the State of Washington's Coastal Zone Management Program. The GSA contains portions of the Miller Creek / Walker Creek, Gilliam Creek / Lower Green River, and Des Moines Creek drainage basins (Exhibit 3-17 in the FEA). There are 31 wetlands (approximately 68 acres), five streams, and seven ditches (tributaries) within the GSA (Exhibits 3-18 through 3-21). SEA's stormwater drainage system (SDS) and industrial wastewater system (IWS) are separate systems that operate independently of each other. The SDS collects stormwater from approximately 1,200 acres while the IWS collects stormwater from the approximately 375 acres where industrial activities are conducted, primarily in the area surrounding the Main Terminal and cargo complex. The 100-year and 500-year floodplains are associated with Miller Creek and are located west and north of Runway 16R (Exhibit 3-22 of the FEA). Several regional aquifers underlie the GSA, the shallowest of which is about 50 to 60 feet beneath ground surface near the terminal. Portions of three Well Head Protection Areas are located within the GSA. PFAS levels in the Tyee Well were found to exceed the State Action Level and this well was removed from service.

The Proposed Action would occur in an area considered in attainment for all criteria pollutants.

The following resources were determined not to be present and were not analyzed in the FEA:

- Farmlands
- Natural Area Preserves or Natural Resource Conservation Areas
- Section 6(f) funded properties
- State listed or sensitive species
- Wild and Scenic Rivers

VIII. Environmental Consequences (Chapter 4 of the FEA)

Environmental impact categories identified in FAA Orders 1050.1F and 5050.4B were evaluated in the FEA. The reasonably foreseeable environmental effects of the No Action Alternative, the Proposed Action, and the Hybrid Terminal Option are included in Chapter 4 of the FEA. Below is a summary of the findings.

A. Air Quality (Section 4.3.1 of the FEA)

SEA is in an area that is considered in attainment for all National Ambient Air Quality Standards (NAAQS). The air quality analysis included criteria air pollutants carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter less than or equal to ten microns aerodynamic diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$). Because emissions of ozone (O_3) cannot be calculated directly, volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) (precursors to O_3 formation) are used as surrogates. Lead was not included because Avgas fueling ceased at SEA in 2018 and the Proposed Action does not involve any potentially significant source of lead emissions.

Emissions of all pollutants are expected to be greater with the Future (2032 and 2037) Proposed Action and Hybrid Terminal Option than the Future (2032 and 2037) No Action due to the increased aircraft operations, taxi times, and motor vehicles. The largest increase would be to CO and NO_x. The Hybrid Terminal Option would have slightly higher construction emissions than the Proposed Action due to changes in the construction schedule but would have the same operational emissions. Based on coordination with the Puget Sound Clean Air Agency, the potential increase in criteria pollutant emissions would not be expected to create any new violation of the NAAQS.

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B. Biological Resources (Section 4.3.2 of the FEA)

A Biological Evaluation (BE) was prepared to evaluate the Proposed Action's potential effects on ESA-listed species and critical habitats that potentially occur in the ESA Study Area. The FAA determined the Action Alternatives would not result in direct effects on ESA-listed species or critical habitat. Indirect effects could result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges generated by the Action Alternatives but would likely not adversely affect ESA-listed species (Table 4-11 of the FEA). The Action Alternatives were also evaluated for potential effects on essential fish habitat (EFH). It was determined that the Action Alternatives may affect, but are not likely to adversely affect, EFH for groundfish, coastal pelagic, and Pacific salmon species in Puget Sound and EFH for Pacific salmon species in the Duwamish River and tributaries that drain to Puget Sound from SEA. Any effect to EFH would result from delayed consequences associated with operational treated stormwater runoff and industrial wastewater discharges that are generated by the Action Alternatives.

FAA initiated Section 7 and EFH consultation with the National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (USFWS) on June 30, 2025. NMFS responded by issuing a Biological Opinion on July 28, 2025. The USFWS responded by issuing a Biological Opinion on September 23, 2025. The Biological Opinions include information regarding the Proposed Action, species information, effects of the Proposed Action, and conservation recommendations. See Appendix D of the FEA for the BE and Biological Opinions.

Migratory birds and non-listed species may be impacted by the proposed removal of vegetation and trees. Approximately 56.4 acres of land that currently has trees, shrubs, and maintained grassy areas would be cleared for the construction of the C02, C03, L05, L07, S07, and S10. Some migratory birds and non-listed species may be displaced due to loss of habitat; however, it is likely that these species would relocate to surrounding areas providing similar habitat. For this reason, the reasonably foreseeable impacts to migratory birds and non-listed fish and wildlife species would not be significant. No impacts on bald eagles or golden eagles are anticipated, because no nests or roosting sites have been documented within the GSA.

C. Greenhouse Gas Emissions (Section 4.3.3 of the FEA)

The Action Alternatives would increase GHG emissions as compared to the No Action Alternative. The Proposed Action would increase Scope 1, 2 and 3 GHG emissions by 152,703 (2.1 percent) CO_2e MT over the No Action Alternative in 2032 and by 539,569 (7.4 percent) CO_2e MT in 2037. The Hybrid Terminal Option would increase Scope 1, 2 and 3 GHG emissions by 156,611 (2.2 percent) MT over the No Action Alternative in 2032 and by 539,569 MT (7.4 percent) in 2037. The majority of the GHG emissions increase comes from Scope 3 sources, which are not under the direct control of the Port.

D. Coastal Resources (Section 4.3.4 of the FEA)

Four of the airfield projects (A01, A02, A04, and A06) would require the FAA to relocate FAA-owned equipment (including navigational and visual aids) and associated infrastructure. Relocations of equipment would occur on the airfield. The FAA determined that the proposed FAA activities would be undertaken in a manner so as not to affect the coastal resources or uses of the Washington State Coastal Zone Management Program and submitted a Negative Determination to the Washington State Department of Ecology (WSDE) Federal Consistency Coordinator on July 2, 2024. WSDE did not have any concerns about the Negative Determination. Therefore, the Proposed Action would not result in significant effects on coastal resources.

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E. Department of Transportation Act: Section 4(f) (Section 4.3.5 of the FEA)

Neither Action Alternative would result in a physical use of a Section 4(f) property. The assessment of potential constructive use impacts focused on changes in noise exposure and concluded that none of the Section 4(f) resources would experience a substantial impairment due to increases in noise from operations or construction of either Action Alternative. Therefore, the Action Alternatives would not result in significant impacts to Section 4(f) resources.

F. Hazardous Materials, Pollution Prevention, and Solid Waste (Section 4.3.6 of the FEA)

The Action Alternatives would utilize construction equipment containing hazardous substances such as oil, fuel, solvents, batteries, or other similar products. All hazardous materials used during construction would be handled, stored, and disposed of in accordance with federal, state, and local requirements.

Eleven documented incidents of hazardous materials contamination, including five potential PFAS contaminated sites, are located within the limits of disturbance of one or more elements of the Action Alternatives (Table 4-21 of the FEA). All work within an area of contamination would be conducted in accordance with the Port's Construction General Requirements for handling contaminated soil. These general requirements include utilizing an approved Contaminated Soils Management Plan identifying disposal facilities and appropriate BMPs. The Port would ensure work is conducted in accordance with all applicable regulations, including PFAS regulations, in place at the time of construction.

All material excavated from within the project area would be tested prior to disposal. Any material found to be contaminated would either be removed and disposed of in accordance with federal, state, and local requirements, encapsulated on-site to minimize any human health or environmental exposure risk, or remediated below established cleanup levels. As is standard for Port construction projects, all excavations would be monitored by a trained environmental professional for evidence of unanticipated contaminated soils under SEA's Environmental Agent Work Plan. None of the hazardous materials known to potentially be encountered are uncommon and the Port would comply with applicable rules and regulations to handle and dispose of the materials safely.

The Action Alternatives include the demolition of 12 existing buildings. Nine of these structures have the potential to contain regulated building materials including, but not limited to, asbestos-containing materials, lead paint, and mercury (commonly found in fluorescent light tubes and thermostats). Previous surveys of four of the buildings confirmed varying amounts of regulated building materials in three out of the four buildings (167A, 170A, and 170W). No regulated building materials were found in Building 161A. In addition, because most of these structures have been used for maintenance or storage of equipment, each has the potential for underground fuel lines, utility lines, or areas of subsurface contamination.

Port construction requirements require the development of a pollution prevention plan that includes an inventory/inspection of known hazardous materials in the buildings and on the site, a hazardous material cleanup and disposal plan, and a site-specific plan outlining administrative, operational, and structural BMPs that would be implemented to minimize risks and respond to any incidents should they occur. A Contractor's Safety Plan is also required by the Port to document site-specific emergency procedures and safety requirements. These requirements would avoid or minimize risks of exposure or offsite pollutant transport. Therefore, the Proposed Action would have no effect on hazardous materials and significance thresholds would not be exceeded.

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Construction activities associated with the Action Alternatives would generate additional solid waste, such as construction debris, building materials, and other materials commonly associated with construction. The selected contractor would be responsible for managing and disposing of construction generated waste in accordance with a Waste Management Plan. The Port's existing Waste Diversion and Recycling Program would also apply, and the selected contractor would be expected to meet the goal of diverting at least 90 percent of construction debris from the landfill.

The additional passengers utilizing the new facilities would result in an increase in solid waste being generated. Waste generation forecasts for the Action Alternatives were based on passenger projections, historic data on waste generated per passenger, past analysis of increases in square footage of food service concessionaires, and modeling related to increases in square footage of facilities. The additional waste would not be significantly more than the No Action. There is sufficient landfill capacity to accommodate the additional solid waste. Because neither alternative would result in appreciably different quantity of waste; different methods of collection or disposal; exceedance of disposal capacity; or changes in waste diversion and recycling, no significant impacts related to solid waste would be expected.

G. Historical, Architectural, Archeological and Cultural Resources (Section 4.3.7 of the FEA)

There are no NRHP-eligible properties located within the APE. However, there is the potential to locate resources during ground disturbing activities. Therefore, FAA and the Port agreed to prepare an Inadvertent Discovery Plan for all projects, and to have an archaeological monitor on-site during ground disturbing activities for C03, S10, T02, L03, L05, L07, and the southern half of C02 given the potential to locate resources in these areas. FAA submitted a finding of No Adverse Effect to DAHP on August 3, 2021. DAHP concurred with the finding on August 30, 2021. The FAA initiated government-to-government consultation with ten Native American Tribes on July 28, 2021. Three tribes responded (two did not have comments and one requested the inclusion of an Inadvertent Discovery Plan as part of the Proposed Action).

The FAA updated the APE to include potential visual impacts from C02 and C03 and DAHP concurred with the updated APE on November 16, 2023. FAA submitted an updated finding of No Adverse Effect to DAHP on July 11, 2024, and DAHP concurred with the updated finding on July 12, 2024. The FAA submitted an updated finding of No Adverse Effect to clarify previous eligibility determinations on July 16, 2025, and DAHP concurred with the updated finding on July 21, 2025.

H. Land Use (Section 4.3.8 of the FEA)

The Action Alternatives would occur entirely on Port-owned property and would be consistent with the conditionally approved ALP. Each of the local land use plans for jurisdictions adjacent to or in the vicinity of SEA have recognized airport operations, including in some cases specifically addressing the potential for additional development of Airport property or property in the vicinity of SEA for Airport related operations. The State Growth Management Act, RCW 36.70.547, further protects airport development and operations from inconsistent or incompatible land uses being developed adjacent to the airport. Therefore, the Proposed Action would not significantly impact land uses within the study area.

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I. Natural Resources and Energy Supplies (Section 4.3.9 of the FEA)

The new facilities proposed as part of the Action Alternatives would result in an increase in demand for energy and water, but that increase can be met by available supply. The Action Alternatives would address the jet fuel storage concerns, improve resiliency for emergencies as well as day-to-day operations, and would provide storage and blending infrastructure to support the Port's SAF goal to power every flight fueled at SEA with at least a ten percent blend of SAF. The increased use of SAF would reduce the demand for Jet A fuel. Anticipated increases in diesel and gasoline usage would not result in a significant impact because diesel and gasoline are not in short supply in the region.

The construction of the Action Alternatives would require the use of other natural resources such as sand, gravel, concrete, asphalt, and water, in addition to construction materials such as steel, wood, and glass. Metal wiring and plastic insulation would be used for new lighting. These construction materials are not in short supply in the Seattle-Tacoma area and construction of the Action Alternatives is unlikely to exceed the available supply of these materials.

Therefore, there would be no significant impacts to natural resources or energy supply.

J. Noise and Noise-Compatible Land Use (Section 4.3.10 of the FEA)

The 65+ DNL of the Future (2032) Action Alternatives noise exposure contour encompasses approximately 10.25 square miles, which is 0.15 square miles larger than the Future (2032) No Action noise exposure contour (Exhibit 4-2 of the FEA). The 65+ DNL contour extends approximately 3.7 miles to the north and 3.3 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2032) Action Alternatives would increase the total number of housing units by 337 and population by 824 within the 65+ DNL as compared to the Future (2032) No Action. This increase corresponds to the increase in operations between the two alternatives. The Future (2032) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2032) No Action.

The 65+ DNL of the Future (2037) Action Alternatives noise exposure contour encompasses 9.82 square miles, which is 0.66 square miles larger than the Future (2037) No Action noise exposure contour (Exhibit 4-3 of the FEA). This area is smaller than the 65+ DNL of the Future (2032) Action Alternatives due to the increase in the number of Boeing 737-7/8/9 MAX aircraft. The 65+ DNL contour extends approximately 3.7 miles to the north and 3.2 miles south of SEA and includes a mix of residential, commercial, and industrial land uses. The Future (2037) Action Alternatives would increase the total number of housing units by 1,851 and population by 4,439 within the 65+ DNL as compared to the Future (2037) No Action. The Future (2037) Action Alternatives would not increase noise by 1.5 DNL or more for a noise sensitive area at or above the 65 DNL or that would be exposed at or above the 65 DNL level due to a 1.5 dB or greater increase, when compared to the Future (2037) No Action. Therefore, no significant noise impact would occur because of implementing the Action Alternatives.

Based on a screening analysis, a detailed construction noise assessment was completed for NTPs C02 and C03 as the projects are directly adjacent to residential properties. The residential properties are located east of 24th Avenue S., west of 30th Avenue S., and south of S. 148th Street. Construction for C02 would start in 2026 (lasting approximately 18 months) and construction for C03 would start in 2028 (lasting around 16 months). The assessment determined noise from construction may occasionally exceed ambient noise levels and be noticeable to residential properties. The short-term increase in noise during construction would be temporary.

For C02, there are 13 residential properties that would experience a noticeable increase (over 3 dB) in construction noise intermittently during construction. The longest continuous duration would be

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approximately 18 weeks. For C03, there are eight residential properties that would experience a noticeable increase (over 3 dB) in construction noise periodically during construction. The longest duration would be approximately 26 weeks.

Construction-related noise increases would be minimized through strict adherence to the Port's Construction General Requirements, by meeting the State of Washington and City of SeaTac requirements and utilizing BMPs. In addition, most of the residential properties adjacent to the C02 and C03 sites that would experience a noticeable temporary noise increase have received sound insulation through the Port's Sound Insulation Program which reduces the noise that enters the interior of the structure.

K. Socioeconomic and Children's Environmental Health and Safety Risks (Section 4.3.11 of the FEA)

The Action Alternatives would support long-term economic growth for the Puget Sound region and the area near SEA by providing facilities necessary to accommodate future passenger and cargo growth. The proposed Second Terminal would directly create new airline support jobs (such as ticket counter agents, gate attendants, etc.), new restaurant and retail jobs (for the new food and shopping establishments), and new jobs associated with operation and maintenance of the new facilities. Temporary growth in economic activity for local businesses would occur from the creation of construction jobs and supporting businesses. Additional indirect growth in economic activity may occur from passengers using nearby hotels, restaurants, etc. The overall effect on the economic environment of the GSA would be beneficial and no adverse impacts to economic resources are expected.

The construction and implementation of the Action Alternatives would occur on existing Port-owned property. There would be no land acquisition. Construction of C02 and C03 would likely eliminate access to 24th Avenue S. from S. 150th Street. While final design of C02 and C03 would be needed to determine if the access would be eliminated, the analysis in this EA assumed the access was eliminated to disclose the potential impacts. Drivers wanting to access 24th Avenue S. from S. 150th Street would have to utilize S. 152nd Street or S. 148th Street. This would add a maximum of 0.75 miles to the trip compared to the current access. While this would result in slightly longer drives for approximately 60 homes located along the western portion of S. 150th Street, there would be reasonable alternative routes, and this would not be considered a significant division of this community. Therefore, the Action Alternatives would not result in significant impacts related to division of communities.

Neither alternative would result in the relocation of residences. The Doug Fox Lot and PACCAR Aviation would be directly impacted by the Action Alternatives. The Doug Fox Lot, which is a parking business that leases Port-owned property, would be closed due to the proposed construction of the Second Terminal and parking garage. The Port would either not renew the lease (set to expire in June 2026) or would exercise termination rights within the lease. There are numerous other parking options near SEA for passengers to use, including the proposed parking garage. The approximately 25 Doug Fox Lot employees would likely find replacement employment with Port offered employment assistance. While this would result in the loss of revenue for the operator of the Doug Fox Lot, this is not considered a significant economic impact.

PACCAR Aviation, located off Starling Drive, has approximately 14 employees at this location to support the company's corporate aviation functions. This facility would close due to the proposed construction of the ARFF. The Port would either not renew the lease or would exercise termination rights within the lease. It is anticipated that the business and employees would relocate to another airport in the region. While this would result in the termination of the lease for PACCAR at this site, this is not considered a significant economic impact due to the scale of the operation and the ability of the employees to be relocated.

The Action Alternatives would not result in significant changes to children's health and safety risks including air, food, drinking water, recreational waters, soil, or products children may use or to which they would be

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exposed. The Action Alternatives could result in non-permanent noise impacts during construction of C02 and C03. Though there are no schools are in areas where construction noise impacts were identified, children living in this area may experience temporary increases in noise during construction. No significant noise impacts were identified, and there are no separate noise impact standards for children.

L. Surface Transportation (Section 4.3.12 of the FEA)

The surface transportation study evaluated 114 intersections within the Surface Transportation Study Area for the No Action and 111 intersections for the Action Alternatives to identify roadway intersections that would fail to meet local and agency mobility standards in 2032 and 2037. The analysis assumed the SR 509 Phase 2 extension and transportation and infrastructure projects would be constructed by 2032.

The intersections were sorted into one of four categories depending on the results of the analysis:

- Category 1: Intersection has a LOS deficiency because of additional trips added by the Action Alternatives. Four intersections in 2032 and eight intersections in 2037.
- Category 2: Intersection has a LOS deficiency in No Action and delay increases due to trips generated by the Action Alternatives. Eleven intersections in 2032 and 18 intersections in 2037.
- Category 3: Intersection meets the mobility standard in both No Action and Action Alternatives, but Action Alternatives add delay. Sixty-three intersections in 2032 and 54 intersections in 2037.
- Category 4: Intersection delay improves or does not change with the Action Alternatives. Thirty-eight intersections in 2032 and 36 intersections in 2037.

Category 1 intersections are considered significant impacts. With the proposed mitigation, none of the impacted intersections would have a significant impact. Based on meetings and coordination with the local jurisdictions, the proposed mitigation for Category 1 intersections is shown in Table 4-36 of the FEA and the proposed mitigation for Category 2 intersections is shown in Table 4-37. In addition, mitigation for Category 3 intersections in the City of SeaTac will be provided in accordance with the ILA between the City of SeaTac and the Port. The Port and the local jurisdictions are in the process of formalizing the mitigation commitments in a MOU with each of the jurisdictions. More details on each intersection, improvements recommended and coordination with the local jurisdictions can be found in Appendix L of the FEA.

M. Visual Effects (Section 4.3.13 of the FEA)

The Port's Interlocal Agreement (ILA) with the City of SeaTac regulates land uses differently based on whether the land is within the Airport Activity Area (AAA); within the AAA but adjacent to public right-of-way, public property owned by another agency, or privately owned property (Edge Properties); or outside the AAA. Each category has its own specific requirements related to lighting and visual screening.

The Action Alternatives include new sources of light emissions from the illumination of new buildings and parking areas. Most of the projects would be built inside the AAA and would not be distinguishable from the ambient lighting. NTPs L01, L02, L03, L04, S07, S08, and T02 would be on Edge Properties. The changes in light intensity caused by these elements on Edge Properties within and adjacent to the AAA (Table 4-38 of the FEA) would not have significant impacts. NTPs C02, CO3, L05, L07, and S10 would be located on Port-owned property that is outside of the AAA and would be subject to measures within the ILA and City of SeaTac Municipal Code. Changes in light intensity caused by the Action Alternatives would not be considered significant.

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The Action Alternatives would include new Airport related development that would affect the viewshed by adding new visual features. Most of the Action Alternatives would occur within the AAA. In those locations, the intensity of this existing land use is such that many of the proposed visual elements of the Action Alternatives would be consistent with the visual character and would not significantly alter the visual setting. Some of the elements would be located on Edge Properties (L01, L02, L03, L04, S07, S08, and T02), with potential to affect adjacent properties (Table 4-40 of the FEA). The impacts from these new elements would be isolated and limited to views from certain angles or vantage points. Certain elements of the Action Alternatives would be located on Port-owned property that is outside of the AAA (C02, C03, L05, L07, and S10). Development in these areas would be subject to measures within the ILA and City of SeaTac Municipal Code. No significant changes to the visual character of the area, noticeable contrasts with existing visual character, or obstructions of important visual resources are expected to occur because of any of these elements of the Action Alternatives.

N. Water Resources (Section 4.3.14 of the FEA)

Wetlands (Section 4.3.14.2 of the FEA)

The Action Alternatives would permanently impact up to 0.79 acres of jurisdictional wetlands and 2.66 acres of wetland buffers (Tables 4-42 and 4-43 of the FEA). Avoidance and minimization of wetlands impacts were incorporated to the extent possible for the Proposed Action. The Airport Sponsor will obtain a U.S. Army Corps of Engineers Section 404 permit for the wetland impacts. As required for the Section 404 permit, the Airport Sponsor will develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts and obtain all applicable permits prior to construction.

The Action Alternatives would result in temporary construction impacts where wetland and wetland buffers would be affected by clearing and ground disturbing work during construction activities. These areas would be revegetated following construction and restored to their pre-construction condition. Temporary construction impacts would total 0.21 acres of wetlands and 3.43 acres of wetland buffers.

No significant wetland impacts would occur with the Action Alternatives.

Surface Waters (Section 4.3.14.3 of the FEA)

The Action Alternatives would permanently impact a total of 0.01 acres of streams and 0.01 acres of potentially jurisdictional ditches. The ditches are considered potentially jurisdictional based on the duration of flow and the fact that they discharge to receiving waters that are under jurisdiction of the USACE. The stream impacts would be associated with a crossing of Miller Creek for an access road for the Westside Maintenance Campus. The Action Alternatives would also result in permanent stream buffer impacts totaling 0.12 acre.

Temporary stream impacts include 0.07 acres to the East Fork Des Moines Creek resulting from construction activities associated with S01. Additionally, construction of the access road for S07 would temporarily impact 0.01 acres of Miller Creek. The Action Alternatives would also result in temporary stream buffer impacts totaling 0.20 acres. These impacts are not considered significant and would only occur during certain construction-related activities. These areas would be returned to their pre-construction condition after construction activities have been completed.

The Action Alternatives would add new impervious areas and replace existing impervious surfaces. The addition of impervious surfaces would be partially offset by the demolition of select impervious surfaces. Overall, the total impervious area at SEA would increase by a net additional 71 acres, of which 50 acres are pollutant-generating impervious surface (a 5.4% increase in pollutant-generating impervious surface area).

The Action Alternatives include improvements to and expansion of the Stormwater Drainage System and Industrial Wastewater System to provide the additional detention and treatment capacity needed to

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support NTP development. All new pollutant generating impervious surfaces would be treated prior to draining to the Puget Sound via Miller, Walker, or Des Moines creeks or the IWTP discharge. With the planned measures previously described in place, the Proposed Action would not result in significant impacts to surface waters, nor would it result in an exceedance of water quality standards or contamination of public drinking water supply.

Floodplains (Section 4.3.14.4 of the FEA)

The Action Alternatives would not directly impact any floodplains or adversely affect any beneficial floodplain values. Two of the NTPs, L07 and S10, are near floodplains but would not extend into the adjacent 100- or 500-year floodplain areas. The S. 157th Place access road included as part of the Westside Maintenance Project (S07) includes replacing a culvert and paving within a 100- and 500-year floodplain. The culvert would be designed to maintain the conveyance and storage capacity of the existing floodplain. Therefore, the Proposed Action would not result in significant impacts to the floodplain because they would not result in (1) a considerable probability of loss of human life, (2) likely future damage associated with the encroachment that could be substantial in cost or extent, or (3) a notable adverse impact on the floodplain's natural and beneficial floodplain values.

Groundwater (Section 4.3.14.5 of the FEA)

Groundwater resources include Wellhead Protection Areas (WHPA) and regional aquifers. The Action Alternatives would result in permanent impacts to 43.6 acres and temporary impacts to 2.34 acres within the WHPA for Riverton Heights #1 and Riverton Heights #2. These impacts would be associated primarily with C02, C03, L05, and utility line connections. Note that these two wells are adjacent to each other, and the protection areas almost completely overlap. The impact calculation considers each wellhead protection area separately; thus, the impact is essentially counted twice. The Action Alternatives would permanently impact 6.25 acres and temporarily impact 5.21 acres of the wellhead protection area for Tyee Well AFR835. Operations at this wellhead were voluntarily suspended due to samples exceeding the Washington Department of Health State Action Levels for PFAS. The Action Alternatives would permanently impact 2.24 acres of the wellhead protection area associated with the McMicken Heights well east of the Airport due to a utility line connection.

A Phase 1 Groundwater Study completed in July 2008 determined that groundwater contamination at SEA does not threaten groundwater quality outside of the Aircraft Operations and Maintenance Area (AOMA). This was confirmed through groundwater sampling events from 2011 through 2015. The groundwater sampling delineated the downgradient extents of the modelled contaminant plumes (which were smaller than predicted by the model) and confirmed that the contaminants in the plumes will not impact potential local receptors (surface water bodies or drinking water supply wells), nor extend beyond the AOMA. This is due to the geology, hydrogeology, and hydrostratigraphy of the area. The Action Alternatives are not located within a Critical Aquifer Recharge Area.

Construction and operation of the Proposed Action would abide by all applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts on groundwater. These regulations also specify required cleanup/mitigation actions should a spill occur. To document that construction actions have not impacted groundwater quality within or downgradient of the work area, the Port will monitor groundwater during and following completion of construction. Therefore, no significant impacts to groundwater are anticipated.

Because the Proposed Action would not cause impacts to groundwater that would exceed applicable groundwater quality standards, and because the Proposed Action would not contaminate an aquifer used for public water supply, no significant impacts are anticipated.

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IX. Mitigation (Chapter 4 of the FEA)

The Port has committed to the following mitigation measures as part of the Proposed Action:

- Complete mitigation for Category 1, Category 2, and Category 3 intersections in accordance with each jurisdiction's applicable regulations, design standards, or agreement in place at the time of construction. Category 3 mitigation is limited to the City of SeaTac based on coordination with WSDOT, Burien, Des Moines, City of SeaTac, and Tukwila.

ID	Intersection	Category	Jurisdiction	Proposed Mitigation	Future LOS with Mitigation
98	Des Moines Memorial Dr. at S. 168th St.	Cateogry #1	City of Burien	Construct new signal, provide dedicated WB left turn lane, & provide shared WB through/right turn lane. Westside Trail will be maintained/improved with no change in access.	A / B
14	Des Moines Mem. Dr. at S. 144th St.	Cateogry #1	City of SeaTac	Widen east leg to provide a WB left turn lane, widen south leg to provide a NB right turn lane, & modify traffic signal. Westside Trail will be replaced/improved with no change in access.	D / D
17	24th Ave. S. at S. 146th St.	Cateogry #1	City of SeaTac	Install signal & add leading protected NB left turn phase.	B / B
48	8th Ave. S. at S. 156th St.	Cateogry #1	City of SeaTac	Shift SB lanes west to add dedicated SB left & right turn lanes, add dedicated NB left turn lane, & modify signal timing with protected left turns for all approaches. Westside Trail will be replaced/improved with no change in access.	D / E
96	16th Ave. S. at S. 144th St.	Cateogry #1	City of SeaTac	Construct an eastbound right turn lane.	C / C
102	S. 152nd St. at Des Moines Mem Dr S.	Cateogry #1	City of SeaTac	Construct single leg roundabout to consolidate Intersections 100, 101, & 102. Westside Trail will be maintained/improved with no change in access	A / A
24	SR 518 WB Off-ramp at Des Moines Mem. Dr	Cateogry #1	WSDOT	Construct single leg roundabout where WB approach would be converted to a left turn lane & yield right turn lane. Westside Trail will be replaced/improved with no change in access.	A / A
42	SR 518 EB Off-ramp & 51st Ave. S.	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
83	Military Rd. S. at SB I-5 Ramps at S. 200th St	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
86	Military Rd. S. at NB I-5 Ramps	Cateogry #1	WSDOT	Mitigation not required - WSDOT	N/A
49	1st Ave S. at SW 160th St.	Category #2	City of Burien	Pay proportionate share of corridor improvement (Project #22 on Burien's TIP) costs equal to percentage of total trips by NTPs in 2037 (1%).	N/A
ID	**Intersection**	**Category**	**Jurisdiction**	**Proposed Mitigation**	**Future LOS with Mitigation**

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89	Pacific Hwy S. at S. 216th St	Category #2	City of Des Moines	See intersection #93	N/A
93	Pacific Hwy S. at SR 516	Category #2	City of Des Moines	Pay proportionate share for delay added by NTP trips based on the total number of PM peak hour trips added & City's traffic impact fee schedule.	N/A
54	Host Rd. at S. 160th St/SR 518 EB On-ramp	Category #2	City of SeaTac	Construct a signal.	A / A
101	8th Ave S. at Des Moines Mem Dr	Category #2	City of SeaTac	See Intersection #102	A / A
105	34th Ave S. at S. 160th St	Category #2	City of SeaTac	Construct a roundabout.	A / A
106	Military Rd S. at S. 164th St at 42nd Ave S	Category #2	City of SeaTac	Pay proportionate share of roundabout construction costs equal to percentage of total intersection trips generated by NTPs in 2037 (4%). Constructed costs based on project costs identified for Project ST 116 in the City of SeaTac's Transportation Master Plan.	N/A
107	34th Ave S. at S. 170th Street	Category #2	City of SeaTac	Pay proportionate share of corridor improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (1%). Constructed costs based on project costs identified for Project ST 016 in the City of SeaTac's TIP.	N/A
109	Military Rd S. at S. 216th Street	Category #2	City of SeaTac	Pay proportionate share of channelization improvement costs equal to percentage of total intersection trips generated by NTPs in 2037 (2%). Constructed costs based on costs identified for Project ST 140 in the City of SeaTac's TIP	N/A
21	SR 509 SB Ramps at SW 148th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
23	SR 518 EB Ramps and Des Moines Mem Dr	Category #2	WSDOT	Construct roundabout & accommodate West Side Trail connection along east side of Des Moines Memorial Dr S. The Westside Trail will be replaced/ improved with no change in access.	A / A
28	SR 518 EB Off-Ramp at S 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
33	SR 518 WB Ramp at S. 154th St	Category #2	WSDOT	Construct a signal.	C / C
37	International Blvd at S. 154th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
78	NB I-5 Ramps at S. 188th St	Category #2	WSDOT	Mitigation not required - WSDOT	N/A
94	SB I-5 Ramps at SR 516	Category #2	WSDOT	Mitigation not required - WSDOT	N/A

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- Minimizing take associated with water quality degradation in Puget Sound from stormwater and wastewater discharges as described in the proposed action.
- Ensuring the project does not exceed the design specifications and creates no more than 51 acres of PGIS, unless otherwise coordinated with FAA, NMFS West Coast Region, and USFWS. The Port will be responsible for tracking development of the Proposed Action and amount of PGIS and notify the FAA if the Proposed Action will exceed 51 net acres of PGIS (for those projects that the FAA has authority over) prior to construction of the excess PGIS. The FAA will be responsible for coordinating with NMFS and/or USFWS if the PGIS exceeds 51 net acres.
- Providing the FAA with an as-built report including the total acres of PGIS within 30 days following project completion. The FAA will be responsible for coordinating the report with NMFS and USFWS. The FAA shall provide an as-built report including the total area of PGIS to NMFS within 90 days following project completion. This report should be sent to projectreports.wcr@noaa.gov including "Attn: WCRO-2025-01881" within the subject line.
- Carrying out the operation and maintenance plans described in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent) to ensure that facilities or systems that are used to manage stormwater and wastewater at SEA are properly operated and maintained. The Port shall maintain records of inspection and maintenance to document compliance with the standards provided in the *Seattle-Tacoma International Airport Stormwater Pollution Prevention Plan* (Port of Seattle 2022 or most recent). Records do not need to be provided to NMFS unless requested.
- The Port will submit reports to the FAA and the USFWS each biennium, or as agreed to and documented, for the record. Each report shall document the most recently implemented NTPs (and SDS or IWS improvements) and shall include a quantification of associated new and replaced PGIS. Reports shall be submitted to the Washington Fish and Wildlife Office in Lacey, Washington (WashingtonFWO@fws.gov) and copied to the Assistant Field Supervisor or assigned lead consultation biologist by December 31 of each year that activities are completed.
- Utilizing Best Management Practices (BMPs) to limit impacts during construction. This includes, but is not limited to, utilizing BMPs to minimize surface transportation impacts, protect against sediment and soils entering nearby streams or creeks, reduce construction noise, and minimize increases in air emissions and water usage.
- Implementing strategies outlined in their April 2024 Land Stewardship Plan.
- Having a qualified biologist conduct a pre-construction nest survey 7-10 days before the start of construction and adhering to King County development standards for migratory birds. If nests are found, the USFWS' Nationwide Standard Conservation Measures will be used to develop BMPs.
- Adhering to the applicable FAA Advisory Circulars, including, but not limited to, FAA AC 150/5370-10, *Standard Specifications for Construction of Airports* and FAA AC 150/5200-33, *Hazardous Wildlife Attractants on or Near Airports*.
- Monitoring contaminant levels in groundwater during and following completion of construction.
- Developing and implementing an Inadvertent Discovery Plan during construction.
- Having an archaeological monitor on-site during ground disturbing activities for projects in C03, S10, T02, L03, L05, L07, and the southern half of C02.
    - The archaeological monitor shall work with the FAA and the Port to develop an archaeological monitoring scope and plan at least 60 days prior to construction.

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- The archaeological monitor shall provide all monitoring logs, photos, a summary of activities monitored and dates, and a synthesis of any background research that directly addresses the question of prior disturbance in the area to the FAA and the Port within 30 days following the completion of monitoring.

- Developing a compensatory wetland mitigation plan to avoid and minimize wetland impacts.
- Designing the S. 157th Place access road and culvert replacement as part of S07 to maintain the conveyance and storage capacity of the existing floodplain.
- Obtaining all applicable permits prior to construction, including, but not limited to, a USACE Section 404 permit for discharge of dredged or fill material into waters of the US as well as a NPDES permit.
- Ensuring no vehicle or material storage occurs in wetland areas or other sensitive areas.
- Handling, storing, and disposing of hazardous materials in accordance with applicable federal, state and/or local regulations.

X. Public Involvement (Appendix O of the FEA)

The Scoping period opened on July 30, 2018 and lasted for 60 days, closing on September 28, 2018. The Port and the FAA advertised the Scoping period through newspaper advertisements, direct mail, and social media in five languages (English, Somali, Spanish, Vietnamese, and Arabic). The Port held an Agency Scoping Meeting and four Public Scoping Meetings during the 60-day Scoping period. The Scoping Report, comments submitted, and other details can be found in Appendix N of the FEA.

The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically (either by email or through the project website).

The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided; however, individual responses are not required as part of the EA process. A copy of the comments and responses to those comments are provided in Appendix O of the FEA.

Several sections of the FEA were updated from the Draft EA in response to comments received and regulatory changes. The revisions are listed in **Table A** of the FEA.

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XI. Agency Findings

The FAA makes the following determinations for the Proposed Action based upon a careful review of the attached FEA, comments on the Draft EA, and appropriate supporting information.

The following determinations are prescribed by the statutory provisions set forth in the Airport and Airway Improvement Act of 1982, as codified in 49 USC §47106 and 47107.

i. The project is reasonably consistent with existing plans of public agencies responsible for development of the area surrounding the airport (49 USC §47106(a)(1)).

The determination prescribed by this statutory provision is a precondition to agency approval of project grant funding applications. Construction of the Proposed Action would occur entirely on Airport property and would be consistent with the plans, goals and policies for the area, including the Port and City of SeaTac ILA, City of SeaTac Comprehensive Plan, Des Moines Comprehensive Plan, the Burien Plan, Tukwila Comprehensive Plan, and the Puget Sound Regional Council Vision 2050 (Appendix H of the FEA).

Title 36, Chapter 36.70.547 of the Revised Code of Washington requires every county, city, and town in which a general aviation airport is located, that is operated for the benefit of the public, through its comprehensive plan and development regulations, to discourage the siting of incompatible uses adjacent to such general aviation airport. Thus, local plans and land use regulations have been developed by adjacent jurisdictions to discourage uses incompatible with Airport operations.

ii. The interests of the community in or near which the project may be located have been given fair consideration (49 USC §47106(b)(2)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. The Draft EA was released for agency and public review on October 21st, 2024, and comments were accepted through December 13th, 2024. The FAA initially planned to circulate the draft EA for a 30-day public comment period upon release on October 21, 2024, but extended the comment period to 45-days prior to the release of the draft EA at the request of the Port based on the complexity of the analysis. On November 8, 2024, the FAA then extended the comment period to Friday, December 13th after taking into consideration community interest and the placement of Thanksgiving within the comment period. Notice of this extension was provided at the public meetings, posted on the project website, and provided to the people who requested the extension. To facilitate comments, four public meetings were held in the Cities of Federal Way, Des Moines, SeaTac, and Burien, Washington. Comments could be submitted in writing (either at a public meeting or by mail), orally to a stenographer at the public meetings, and/or electronically by email or through the project website. The Airport Sponsor received a total of 595 comment submissions on the Draft EA. The FAA and the Port considered and addressed each individual comment provided.

iii. The airport sponsor has taken, or will take, actions to restrict land use in the airport vicinity, including adoption of zoning laws, to ensure the uses are compatible with airport operations (49 USC §47107(a)(10)).

The determination prescribed by this statutory provision is a precondition to agency approval of airport development project grant funding applications. As a recipient of AIP funding, the Airport Sponsor has signed grant assurances that require them to take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. The most current land uses and zoning designations of the surrounding jurisdictions were

PRR25-593 12192025 001499

obtained for analysis. The land use analysis considered existing and future land use plans within and surrounding the Airport and evaluated the Proposed Action to determine whether it would be compatible with land use guidelines as well as local noise ordinances within the County.

iv. Determination that the airport development is reasonably necessary for the use in air commerce or in the interests of national defense pursuant to (49 USC § 44502(b)).

The FAA has determined that implementation of the Proposed Action would maintain the safety, utility, and efficiency of SEA. Implementation of the Proposed Action, as described below, would enhance safety at the Airport by meeting FAA Airport Design Standards consistent with the FAA Advisory Circular 150/5300-13B, Change 1, Airport Design, and the FAA's regulations described in, 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.

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XII. Decision and Order

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement.

This decision does not constitute a commitment of funds under the Airport Improvement Program (AIP); however, it does fulfill the environmental prerequisites to approve applications for grants of AIP funds for the Proposed Action in the future. (49 USC § 47101)

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the Proposed Action.

ALETA BEST

Digitally signed by ALETA BEST
Date: 2025.09.24 07:41:15 -08'00'

_____

Aleta Best
Acting Regional Administrator
Northwest Mountain Region (ANM)

Right of Appeal

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to the exclusive judicial review under 49 USC § 46110 by the US Circuit Court of Appeals for the District of Columbia or the US Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate US Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 USC § 46110.

PRR25-593 12192025 001501

From: Evan Maxim
To: Jenn Kester; Zack Shields; Barbara Mailo
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 3:26:48 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Agree

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Jenn Kester <jkester@seatacwa.gov>
Sent: Monday, November 24, 2025 1:20 PM
To: Zack Shields <zshields@seatacwa.gov>; Barbara Mailo <bmailo@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>
Subject: RE: Email Confirmation

Zack,

My two thoughts:

1. I think the joint conflict waivers could be attachments to the letter of engagement compared to its own item. Then you can route them with the letter of engagement.
2. I do not believe that there has been or should have been formal council review of anything other than the ILA.

Jenn

Jenn Kester
Planning Manager
Community and Economic Development
o: 206.973.4842 **e:** jkester@seatacwa.gov
Pronouns: she/her

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

I work in office on Tuesdays, Wednesdays, and Thursdays and telework on Mondays and Fridays.

From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 1:04 PM
To: Barbara Mailo <bmailo@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

Hi,

I'm trying to get the routing slips done. Quick question—do the joint conflict waivers require a routing slip (no monetary/contractual amounts)? And has there been a Committee/Council review on any of the other documents other than the ILA?

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 11:09 AM
To: Zack Shields <zshields@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

Hi Zack,

Providing confirmation below of the docs that have completed the signing process and pending routing slips whenever you're ready.

I have attached the completed Ogden, Murphy, Wallace document received just this morning via Adobe Sign.

Also, please think about how these should be uploaded into OnBase so that they are easy to search or locate in the future.

If they are going to be uploaded separately by document title, I believe they will each need a routing slip.

Contractor	Document	SeaTac	Burien	Des Moines	Records
Leech Tishman Fuscaldo & Lampl	2025.11.14 Revised ILA Client Fee Agreement re Petition for Review	✓	✓	✓	Pending Routing Slip
Leech Tishman Fuscaldo & Lampl	2025.11.21 Conflict Waiver with Vashon Island Fair Skies	✓	✓	✓	Pending Routing Slip
Leech Tishman Fuscaldo & Lampl	2025.11.21 Joint Representation Conflict Waiver Formal	✓	✓	✓	Pending Routing Slip

Contractor	Document	SeaTac	Burien	Des Moines	Records
Ogden, Murphy, Wallace	2025.11.20 Letter of Engagement – Cities of Burien Des Moines SeaTac	✓	✓	✓	Pending Routing Slip

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 9:54 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Cc: Barbara Mailo <bmailo@seatacwa.gov>
Subject: FW: Email Confirmation

FYI – confirmation of documents received.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Monday, November 24, 2025 9:51 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: Re: Email Confirmation

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Confirmed that I received all three signed documents. Thank you.

Steve Taber

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 9:33:15 AM
To: Steven Taber <staber@leechtishman.com>
Subject: Email Confirmation

Good morning Mr. Taber,

I'm writing to confirm that you've received the joint letter of engagement signed by each city. Could you please confirm that you received my email from 11/21? Thank you for your consideration.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Jenn Kester
To: Zack Shields; Barbara Mailo
Cc: Evan Maxim
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:20:00 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Zack,

My two thoughts:

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Jenn

Jenn Kester
Planning Manager
Community and Economic Development
o: 206.973.4842 **e:** jkester@seatacwa.gov
Pronouns: she/her

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I work in office on Tuesdays, Wednesdays, and Thursdays and telework on Mondays and Fridays.

From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 1:04 PM
To: Barbara Mailo <bmailo@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

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Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 11:09 AM
To: Zack Shields <zshields@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

Hi Zack,

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I have attached the completed Ogden, Murphy, Wallace document received just this morning via Adobe Sign.

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Ogden, Murphy, Wallace	2025.11.20 Letter of Engagement – Cities of Burien Des Moines SeaTac	✓	✓	✓	Pending Routing Slip

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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FYI – confirmation of documents received.

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Steve Taber

Steven Taber
Partner

LEECH TISHMAN NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Jenn Kester
To: Zack Shields; Barbara Mailo
Cc: Evan Maxim
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:20:00 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

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2. I do not believe that there has been or should have been formal council review of anything other than the ILA.

Jenn

Jenn Kester
Planning Manager
Community and Economic Development
o: 206.973.4842 **e:** jkester@seatacwa.gov
Pronouns: she/her

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I work in office on Tuesdays, Wednesdays, and Thursdays and telework on Mondays and Fridays.

From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 1:04 PM
To: Barbara Mailo <bmailo@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

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Community & Economic Development
o: 206.973.4840

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LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

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Cc: Evan Maxim
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:20:00 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

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Community & Economic Development
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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Jenn Kester
To: Zack Shields; Barbara Mailo
Cc: Evan Maxim
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:19:00 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

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PRR25-593 12/19/2025

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To: Zack Shields
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:17:33 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Hi Zack,

The routing slips are internal only.

They're not applicable.

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 12:44 PM
To: Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Email Confirmation

Barb,

Regarding the routing forms, do you know if this specifically went to Committee or Council Review—or is that not applicable here?

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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Sent: Monday, November 24, 2025 11:22 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: RE: Email Confirmation

No rush on the routing slips.

I think the important part was getting them signed.

Sorry, I haven't heard from Cindy.

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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Sent: Monday, November 24, 2025 11:10 AM
To: Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Email Confirmation

Barb,

I'll get on that this afternoon. Have you heard from Cindy today? She hasn't responded to my email on Friday about her signature on the ILA.

Respectfully submitted,

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o: 206.973.4844 **m:** 206.973.4850

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Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 9:54 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Cc: Barbara Mailo <bmailo@seatacwa.gov>
Subject: FW: Email Confirmation

FYI – confirmation of documents received.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Monday, November 24, 2025 9:51 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: Re: Email Confirmation

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Steve Taber

Steven Taber
Partner

LEECH | TISHMAN
NELSON | HARDIMAN

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DD: 626.395.7300
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E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Barbara Mailo
To: Zack Shields
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:17:00 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Hi Zack,

The routing slips are internal only.

They're not applicable.

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 12:44 PM
To: Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Email Confirmation

Barb,

Regarding the routing forms, do you know if this specifically went to Committee or Council Review—or is that not applicable here?

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
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From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 11:22 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: RE: Email Confirmation

No rush on the routing slips.

I think the important part was getting them signed.

Sorry, I haven't heard from Cindy.

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 11:10 AM
To: Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Email Confirmation

Barb,

I'll get on that this afternoon. Have you heard from Cindy today? She hasn't responded to my email on Friday about her signature on the ILA.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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Sent: Monday, November 24, 2025 11:09 AM
To: Zack Shields <zshields@seatacwa.gov>
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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

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Cc: Evan Maxim; Jenn Kester
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:04:33 PM
Attachments: image001.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png
image011.png
image014.png

Hi,

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PRR25-593 12/19/2025

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o: 206.973.4844 **m:** 206.973.4850

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The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Zack Shields
To: Barbara Mailo
Cc: Evan Maxim; Jenn Kester
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:04:00 PM
Attachments: image001.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png
image011.png
image014.png

Hi,

I'm trying to get the routing slips done. Quick question—do the joint conflict waivers require a routing slip (no monetary/contractual amounts)? And has there been a Committee/Council review on any of the other documents other than the ILA?

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 11:09 AM
To: Zack Shields <zshields@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

Hi Zack,

Providing confirmation below of the docs that have completed the signing process and pending routing slips whenever you're ready.

I have attached the completed Ogden, Murphy, Wallace document received just this morning via Adobe Sign.

Also, please think about how these should be uploaded into OnBase so that they are easy to search or locate in the future.

If they are going to be uploaded separately by document title, I believe they will each need a routing slip.

Contractor	Document	SeaTac	Burien	Des Moines	Records
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Ogden, Murphy, Wallace	2025.11.20 Letter of Engagement – Cities of Burien Des Moines SeaTac	✓	✓	✓	Pending Routing Slip

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 9:54 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Cc: Barbara Mailo <bmailo@seatacwa.gov>
Subject: FW: Email Confirmation

FYI – confirmation of documents received.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Monday, November 24, 2025 9:51 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: Re: Email Confirmation

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Confirmed that I received all three signed documents. Thank you.

Steve Taber

Steven Taber
Partner

LEECH TISHMAN NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Evan Maxim
To: Jenn Kester; Zack Shields; Barbara Mailo
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 3:26:48 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Agree

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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From: Jenn Kester <jkester@seatacwa.gov>
Sent: Monday, November 24, 2025 1:20 PM
To: Zack Shields <zshields@seatacwa.gov>; Barbara Mailo <bmailo@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>
Subject: RE: Email Confirmation

Zack,

My two thoughts:

1. I think the joint conflict waivers could be attachments to the letter of engagement compared to its own item. Then you can route them with the letter of engagement.
2. I do not believe that there has been or should have been formal council review of anything other than the ILA.

Jenn

Jenn Kester
Planning Manager
Community and Economic Development
o: 206.973.4842 **e:** jkester@seatacwa.gov
Pronouns: she/her

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I work in office on Tuesdays, Wednesdays, and Thursdays and telework on Mondays and Fridays.

From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 1:04 PM
To: Barbara Mailo <bmailo@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

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Respectfully submitted,

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Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
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Steve Taber

Steven Taber
Partner

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NELSON HARDIMAN

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Toll Free: 844.750.1600
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PRR25-593 12192025 001642

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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Zack Shields
To: Barbara Mailo
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 12:44:03 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Barb,

Regarding the routing forms, do you know if this specifically went to Committee or Council Review—or is that not applicable here?

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Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
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From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 11:22 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: RE: Email Confirmation

No rush on the routing slips.

I think the important part was getting them signed.

Sorry, I haven't heard from Cindy.

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Zack Shields <zshields@seatacwa.gov>
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To: Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Email Confirmation

Barb,

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Senior Planner
Community and Economic Development
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Community & Economic Development
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Partner

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PRR25-593 12192025 001656

PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

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Date: Monday, November 24, 2025 12:43:00 PM
Attachments: image001.png
image002.png
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image004.png
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Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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Date: Monday, November 24, 2025 11:22:00 AM
Attachments: image001.png
image002.png
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Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 11:09 AM
To: Zack Shields <zshields@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

Hi Zack,

Providing confirmation below of the docs that have completed the signing process and pending routing slips whenever you're ready.

I have attached the completed Ogden, Murphy, Wallace document received just this morning via Adobe Sign.

Also, please think about how these should be uploaded into OnBase so that they are easy to search or locate in the future.

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Contractor	Document	SeaTac	Burien	Des Moines	Records
Leech Tishman Fuscaldo & Lampl	2025.11.14 Revised ILA Client Fee Agreement re Petition for Review	✓	✓	✓	Pending Routing Slip
Leech Tishman Fuscaldo & Lampl	2025.11.21 Conflict Waiver with Vashon Island Fair Skies	✓	✓	✓	Pending Routing Slip
Leech Tishman Fuscaldo & Lampl	2025.11.21 Joint Representation Conflict Waiver Formal	✓	✓	✓	Pending Routing Slip

Contractor	Document	SeaTac	Burien	Des Moines	Records
Ogden, Murphy, Wallace	2025.11.20 Letter of Engagement – Cities of Burien Des Moines SeaTac	✓	✓	✓	Pending Routing Slip

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 9:54 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Cc: Barbara Mailo <bmailo@seatacwa.gov>
Subject: FW: Email Confirmation

FYI – confirmation of documents received.

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Senior Planner
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o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
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From: Steven Taber <staber@leechtishman.com>
Sent: Monday, November 24, 2025 9:51 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: Re: Email Confirmation

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Confirmed that I received all three signed documents. Thank you.

Steve Taber

Steven Taber
Partner

LEECH TISHMAN NELSON HARDIMAN

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DD: 626.395.7300
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Toll Free: 844.750.1600
E: staber@leechtishman.com

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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Barbara Mailo
To: Zack Shields
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 11:21:00 AM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

No rush on the routing slips.

I think the important part was getting them signed.

Sorry, I haven't heard from Cindy.

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 11:10 AM
To: Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Email Confirmation

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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Zack Shields
To: Barbara Mailo
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 11:10:04 AM
Attachments: image001.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png
image011.png
image014.png

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Community & Economic Development
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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Zack Shields
To: Barbara Mailo
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 11:09:00 AM
Attachments: image001.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png
image011.png
image014.png

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Partner

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LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Barbara Mailo
To: Zack Shields
Cc: Evan Maxim; Jenn Kester
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 11:08:48 AM
Attachments: image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
image020.png
image021.png
2025.11.20_Letter of Engagement - Cities of Burien Des Moines SeaTac - signed.pdf

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LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

Security settings or invalid file format do not permit using 2025.11.20_Letter of Engagement - Cities of Bu.pdf (390587 Bytes).

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To: Zack Shields
Cc: Evan Maxim; Jenn Kester
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 11:08:48 AM
Attachments: image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
image020.png
image021.png
2025.11.20_Letter of Engagement - Cities of Burien Des Moines SeaTac - signed.pdf

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Leech Tishman Fuscaldo & Lampl	2025.11.21 Conflict Waiver with Vashon Island Fair Skies	✓	✓	✓	Pending Routing Slip
Leech Tishman Fuscaldo & Lampl	2025.11.21 Joint Representation Conflict Waiver Formal	✓	✓	✓	Pending Routing Slip

Contractor	Document	SeaTac	Burien	Des Moines	Records
Ogden, Murphy, Wallace	2025.11.20 Letter of Engagement – Cities of Burien Des Moines SeaTac	✓	✓	✓	Pending Routing Slip

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 9:54 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Cc: Barbara Mailo <bmailo@seatacwa.gov>
Subject: FW: Email Confirmation

FYI – confirmation of documents received.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Monday, November 24, 2025 9:51 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: Re: Email Confirmation

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Confirmed that I received all three signed documents. Thank you.

Steve Taber

Steven Taber
Partner

LEECH | TISHMAN NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

ecurity settings or invalid file format do not permit using 2025.11.20_Letter of Engagement - Cities of Bu_1.pdf (390587 Bytes

From: Barbara Mailo
To: Zack Shields
Cc: Evan Maxim; Jenn Kester
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 11:08:48 AM
Attachments: image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
image020.png
image021.png
2025.11.20_Letter of Engagement - Cities of Burien Des Moines SeaTac - signed.pdf

---

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Ogden, Murphy, Wallace	2025.11.20 Letter of Engagement – Cities of Burien Des Moines SeaTac	✓	✓	✓	Pending Routing Slip

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Community & Economic Development
o: 206.973.4840

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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

ecurity settings or invalid file format do not permit using 2025.11.20_Letter of Engagement - Cities of Bu_2.pdf (390587 Bytes

From: Barbara Mailo
To: Zack Shields
Cc: Evan Maxim; Jenn Kester
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 11:08:00 AM
Attachments: image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
image020.png
image021.png
2025.11.20_Letter of Engagement - Cities of Burien Des Moines SeaTac - signed.pdf

---

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Contractor	Document	SeaTac	Burien	Des Moines	Records
Ogden, Murphy, Wallace	2025.11.20 Letter of Engagement – Cities of Burien Des Moines SeaTac	✓	✓	✓	Pending Routing Slip

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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Teleworking: Thursday - Friday

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Subject: Re: Email Confirmation

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Steve Taber

Steven Taber
Partner

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Respectfully submitted,

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Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

ecurity settings or invalid file format do not permit using 2025.11.20_Letter of Engagement - Cities of Bu_3.pdf (390587 Bytes

From: Evan Maxim
To: Jenn Kester; Zack Shields; Barbara Mailo
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 3:26:00 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Agree

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Jenn Kester <jkester@seatacwa.gov>
Sent: Monday, November 24, 2025 1:20 PM
To: Zack Shields <zshields@seatacwa.gov>; Barbara Mailo <bmailo@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>
Subject: RE: Email Confirmation

Zack,

My two thoughts:

1. I think the joint conflict waivers could be attachments to the letter of engagement compared to its own item. Then you can route them with the letter of engagement.
2. I do not believe that there has been or should have been formal council review of anything other than the ILA.

Jenn

Jenn Kester
Planning Manager
Community and Economic Development
o: 206.973.4842 **e:** jkester@seatacwa.gov
Pronouns: she/her

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I work in office on Tuesdays, Wednesdays, and Thursdays and telework on Mondays and Fridays.

From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 1:04 PM
To: Barbara Mailo <bmailo@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

Hi,

I'm trying to get the routing slips done. Quick question—do the joint conflict waivers require a routing slip (no monetary/contractual amounts)? And has there been a Committee/Council review on any of the other documents other than the ILA?

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
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From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 11:09 AM
To: Zack Shields <zshields@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

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Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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Partner

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1100 Glendon Avenue, 14th Floor
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PRR25-593 12192025 001783

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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

To: Zack Shields
Cc: Evan Maxim; Jenn Kester
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 11:05:50 AM
Attachments: image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
image020.png
image021.png
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Administrative Assistant 3
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o: 206.973.4840

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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

ecurity settings or invalid file format do not permit using 2025.11.20_Letter of Engagement - Cities of Bu_4.pdf (390587 Bytes

From: Barbara Mailo
To: Jenn Kester; Zack Shields
Cc: Evan Maxim
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:31:30 PM
Attachments: RE Letter of Intent.msg
image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Hi Zack,

Per Jenn's email below, it makes sense to attach the waivers with the letter of engagement as one packet for uploading to On Base.

Please refer to Amber's email attached regarding the submission of a a routing slip with the LOI that I was forwarding to their department.

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Jenn Kester <jkester@seatacwa.gov>
Sent: Monday, November 24, 2025 1:20 PM
To: Zack Shields <zshields@seatacwa.gov>; Barbara Mailo <bmailo@seatacwa.gov>
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Planning Manager
Community and Economic Development
o: 206.973.4842 **e:** jkester@seatacwa.gov
Pronouns: she/her

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Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 11:09 AM
To: Zack Shields <zshields@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

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Administrative Assistant 3
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Sent: Monday, November 24, 2025 9:51 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: Re: Email Confirmation

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Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

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NELSON HARDIMAN

PRR25-593 12/19/2025

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Planning Manager
Community and Economic Development
o: 206.973.4842 **e:** jkester@seatacwa.gov
Pronouns: she/her

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PRR25-593 12192025 001837

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1. I think the joint conflict waivers could be attachments to the letter of engagement compared to its own item. Then you can route them with the letter of engagement.
2. I do not believe that there has been or should have been formal council review of anything other than the ILA.

Jenn

Jenn Kester
Planning Manager
Community and Economic Development
o: 206.973.4842 **e:** jkester@seatacwa.gov
Pronouns: she/her

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

I work in office on Tuesdays, Wednesdays, and Thursdays and telework on Mondays and Fridays.

From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 1:04 PM
To: Barbara Mailo <bmailo@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

Hi,

I'm trying to get the routing slips done. Quick question—do the joint conflict waivers require a routing slip (no monetary/contractual amounts)? And has there been a Committee/Council review on any of the other documents other than the ILA?

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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Teleworking: Thursday - Friday

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Leech Tishman Fuscaldo & Lampl	2025.11.21 Conflict Waiver with Vashon Island Fair Skies	✓	✓	✓	Pending Routing Slip
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Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Monday, November 24, 2025 9:51 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: Re: Email Confirmation

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Confirmed that I received all three signed documents. Thank you.

Steve Taber

Steven Taber
Partner

LEECH | TISHMAN NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
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In-office: Monday – Wednesday
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From: Amber Russ []
To: Barbara Mailo [bmailo@seatacwa.gov]; recordsmanagement [recordsmanagement@seatacwa.gov]
Subject: RE: Letter of Intent
Date: Tuesday, September 09, 2025 08:51:11
Attachment 1: image010.jpg
Attachment 2: image012.png
Attachment 3: image013.png
Attachment 4: image014.png
Attachment 5: image015.png
Attachment 6: image016.png
Attachment 7: image017.png
Attachment 8: image018.png
Attachment 9: image019.png
Attachment 10: image020.png
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Hello Barb,

Will this Letter of Intent be a stand alone or is it to be attached to an agreement now or at some point?

Please route it with a routing slip attached as you would with any other agreement or amendment and make any note as to the nature/future of the agreement.

Thank you for asking

Amber

http://www.seatacwa.gov/AMBER RUSS
Deputy City Clerk – Public Records Officer

Legal Department

o: 206.973.4663

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The LOI is not attached to a contract so I was wondering how we should route this document to your department for uploading to OnBase.

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Community & Economic Development
o: 206.973.4840

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42.56)

PRR

PRR

PRR25

PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

To: Jenn Kester; Zack Shields
Cc: Evan Maxim
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:28:18 PM
Attachments: RE Letter of Intent.msg
image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Hi Zack,

Per Jenn's email below, it makes sense to attach the waivers with the letter of engagement.

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Jenn Kester <jkester@seatacwa.gov>
Sent: Monday, November 24, 2025 1:20 PM
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Cc: Evan Maxim <emaxim@seatacwa.gov>
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Partner

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PRR

PRR

PRR25

PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

To: Barbara Mailo
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 1:23:08 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 1:17 PM
To: Zack Shields <zshields@seatacwa.gov>
Subject: RE: Email Confirmation

Hi Zack,

The routing slips are internal only.

They're not applicable.

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 12:44 PM
To: Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Email Confirmation

Barb,

Regarding the routing forms, do you know if this specifically went to Committee or Council Review—or is that not applicable here?

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 11:22 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: RE: Email Confirmation

No rush on the routing slips.

I think the important part was getting them signed.

Sorry, I haven't heard from Cindy.

Barbara Mailo

Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 11:10 AM
To: Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Email Confirmation

Barb,

I'll get on that this afternoon. Have you heard from Cindy today? She hasn't responded to my email on Friday about her signature on the ILA.

Respectfully submitted,

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Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Evan Maxim
To: Jenn Kester; Zack Shields; Barbara Mailo
Subject: RE: Email Confirmation
Date: Monday, November 24, 2025 3:26:48 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image012.png

Agree

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Barbara Mailo <bmailo@seatacwa.gov>
Sent: Monday, November 24, 2025 11:09 AM
To: Zack Shields <zshields@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Subject: RE: Email Confirmation

Hi Zack,

Providing confirmation below of the docs that have completed the signing process and pending routing slips whenever you're ready.

I have attached the completed Ogden, Murphy, Wallace document received just this morning via Adobe Sign.

Also, please think about how these should be uploaded into OnBase so that they are easy to search or locate in the future.

If they are going to be uploaded separately by document title, I believe they will each need a routing slip.

Contractor	Document	SeaTac	Burien	Des Moines	Records
Leech Tishman Fuscaldo & Lampl	2025.11.14 Revised ILA Client Fee Agreement re Petition for Review	✓	✓	✓	Pending Routing Slip
Leech Tishman Fuscaldo & Lampl	2025.11.21 Conflict Waiver with Vashon Island Fair Skies	✓	✓	✓	Pending Routing Slip
Leech Tishman Fuscaldo & Lampl	2025.11.21 Joint Representation Conflict Waiver Formal	✓	✓	✓	Pending Routing Slip

Contractor	Document	SeaTac	Burien	Des Moines	Records
Ogden, Murphy, Wallace	2025.11.20 Letter of Engagement – Cities of Burien Des Moines SeaTac	✓	✓	✓	Pending Routing Slip

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 9:54 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>
Cc: Barbara Mailo <bmailo@seatacwa.gov>
Subject: FW: Email Confirmation

FYI – confirmation of documents received.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

From: Steven Taber <staber@leechtishman.com>
Sent: Monday, November 24, 2025 9:51 AM
To: Zack Shields <zshields@seatacwa.gov>
Subject: Re: Email Confirmation

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Confirmed that I received all three signed documents. Thank you.

Steve Taber

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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From: Zack Shields <zshields@seatacwa.gov>
Sent: Monday, November 24, 2025 9:33:15 AM
To: Steven Taber <staber@leechtishman.com>
Subject: Email Confirmation

Good morning Mr. Taber,

I'm writing to confirm that you've received the joint letter of engagement signed by each city. Could you please confirm that you received my email from 11/21? Thank you for your consideration.

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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In-office: Monday – Wednesday
Teleworking: Thursday - Friday

PRR

LEECH | TISHMAN

NELSON HARDIMAN

PRR25-593 12/19/2025

From: Evan Maxim
To: Jonathan Young; Cindy Corsilles
Subject: RE: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 7:52:34 PM

Hi -

Mr. Taber has disclosed that he also represents other interested parties in an appeal of the SAMP (including Vashon Island). We are the primary party in case of any conflict.

I suspect this was accidentally included by Mr. Taber.

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 c: 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

-----Original Message-----
From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Tuesday, November 25, 2025 7:48 PM
To: Cindy Corsilles <ccorsilles@seatacwa.gov>; Evan Maxim <emaxim@seatacwa.gov>
Subject: FW: Petition for Review FAA NEPA FONSI ROD

Hi Cindy, Evan - do you have insight on CM Kwon's question?

Jonathan

-----Original Message-----
From: Peter Kwon <pkwon@seatacwa.gov>
Sent: Tuesday, November 25, 2025 6:20 PM
To: Jonathan Young <jyoung@seatacwa.gov>
Cc: Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: Re: Petition for Review FAA NEPA FONSI ROD

Why does it say "Attorneys for Vashon Island Fair Skies" on page 4 of the document? Shouldn't it say Burien, Des Moines, and SeaTac?

Thanks.
-Peter

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Sent: Tuesday, November 25, 2025 4:09 PM
To: Jonathan Young
Cc: Cindy Corsilles

Subject: Petition for Review FAA NEPA FONSI ROD

Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

[cid:image002.png@01DC5E25.EB2B32F0]<https://www.seatacwa.gov/>
Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810
[cid:image003.png@01DC5E25.EB2B32F0][cid:image004.png@01DC5E25.EB2B32F0]
[cid:image005.png@01DC5E25.EB2B32F0][cid:image006.png@01DC5E25.EB2B32F0]
[cid:image007.png@01DC5E25.EB2B32F0][cid:image008.png@01DC5E25.EB2B32F0]
[cid:image009.png@01DC5E25.EB2B32F0][A blue circle with black letters Description automatically generated]
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Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810
[cid:image003.png@01DC5E25.EB2B32F0][cid:image004.png@01DC5E25.EB2B32F0]
[cid:image005.png@01DC5E25.EB2B32F0][cid:image006.png@01DC5E25.EB2B32F0]
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Jonathan Young
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[cid:image009.png@01DC5E25.EB2B32F0][A blue circle with black letters Description automatically generated]
This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Barbara Mailo
To: Zack Shields
Cc: Evan Maxim; Cindy Corsilles; Jonathan Young; Lesa Ellis
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 3:24:30 PM
Attachments: image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
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image025.png
image026.png
image027.png
image028.png
image029.png
2025.11.21 Conflict Waiver with Vashon Island Fair Skies - signed.pdf
2025.11.21 Joint_Representation_Conflict_Waiver_Formal - signed.pdf

---

Hi Zack,

Attached are the signed waiver docs from Burien and Des Moines.

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Lesa Ellis <lkellis@seatacwa.gov>
Sent: Friday, November 21, 2025 1:42 PM
To: Jonathan Young <jyoung@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review

Attached are the two documents with a signature line for the city manager. I have added Jonathan's digital signature per his request.

Lesa Ellis
Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

Beginning 4/15/25, I'm teleworking on Mondays.

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
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From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

PRR

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

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curity settings or invalid file format do not permit using 2025.11.21 Joint_Representation_Conflict_Waive_18.pdf (306472 Byte

From: Lesa Ellis
To: Jonathan Young
Cc: Evan Maxim; Cindy Corsilles; Barbara Mailo
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 1:41:48 PM
Attachments: 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf
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image019.png
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf

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City Manager's Office
o: 206.973.4810 **c:** 206.786.3365

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Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
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F: 626.795.6321
Toll Free: 844.750.1600
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1100 Glendon Avenue, 14th Floor
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From: Evan Maxim <emaxim@seatacwa.gov>

Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

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- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

PRR25-593 12192025 002004

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: Jonathan Young

Its City Manager

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

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Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

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Each Client may consult its own city attorney or outside counsel before signing this Agreement.

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If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: Jonathan Young

Name: Jonathan Young

Title: City Manager

Date: 11/21/25

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

From: Lesa Ellis
To: Jonathan Young
Cc: Evan Maxim; Cindy Corsilles; Barbara Mailo
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 1:41:00 PM
Attachments: 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf
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2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf

Attached are the two documents with a signature line for the city manager. I have added Jonathan's digital signature per his request.

Lesa Ellis
Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365

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Beginning 4/15/25, I'm teleworking on Mondays.

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

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Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields

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Subject: Waivers of Conflicts of Interest and Draft Petition for Review

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Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

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Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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PRR25-593 12192025 002033

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Dated: By: _____

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Dated: By: Jonathan Young

Its City Manager

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

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By: Jonathan Young

Name: Jonathan Young

Title: City Manager

Date: 11/21/25

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

To: Jonathan Young
Cc: Evan Maxim; Cindy Corsilles; Barbara Mailo
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 1:40:58 PM
Attachments: 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf
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Lesa Ellis
Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365

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Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

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  - Any actions necessary by three cities to file an appeal?
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- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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PRR25-593 12192025 002062

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The City of Burien, Washington

Dated: By: _____

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Dated: By: _____

The City of SeaTac, Washington

Dated: By: Jonathan Young

Its City Manager

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

To:	Evan Maxim; Jenn Kester
Cc:	Cindy Corsilles; Barbara Mailo
Subject:	RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date:	Friday, November 21, 2025 12:14:40 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png image006.png image007.png image008.png image009.png image010.png

---

Evan,

Barb is confirming whether Jonathan has already signed the Leech Tishman LOE because Lesa didn't respond to her email yesterday, and will be sending it to Burien ASAP.

Question regarding this new waiver

Respectfully submitted,

Zack Shields
Senior Planner
Community and Economic Development
o: 206.973.4844 **m:** 206.973.4850

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The City of SeaTac is currently reviewing permit applications under the 2021 Washington State adoption of the ICC codes. Applications with plans referencing the 2018 or older codes will not be accepted.

In-office: Monday – Wednesday
Teleworking: Thursday - Friday

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Fyi

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Pronouns: He / Him / His
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Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
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interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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From: Evan Maxim <emaxim@seatacwa.gov>
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To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
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- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

From: Barbara Mailo
To: Zack Shields
Cc: Evan Maxim; Cindy Corsilles; Jonathan Young; Lesa Ellis
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 3:24:30 PM
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2025.11.21 Conflict Waiver with Vashon Island Fair Skies - signed.pdf
2025.11.21 Joint_Representation_Conflict_Waiver_Formal - signed.pdf

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Hi Zack,

Attached are the signed waiver docs from Burien and Des Moines.

Regards,

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Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review

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Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365
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Subject: 4-City meeting this afternoon

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Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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PRR

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

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curity settings or invalid file format do not permit using 2025.11.21 Joint_Representation_Conflict_Waive_21.pdf (306472 Byte

From: Barbara Mailo
To: Zack Shields
Cc: Evan Maxim; Cindy Corsilles; Jonathan Young; Lesa Ellis
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 3:24:30 PM
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Regards,

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Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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Executive Assistant
City Manager's Office
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Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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PRR

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

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curity settings or invalid file format do not permit using 2025.11.21 Joint_Representation_Conflict_Waive_22.pdf (306472 Byte

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To: Zack Shields
Cc: Evan Maxim; Cindy Corsilles; Jonathan Young; Lesa Ellis
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 3:24:30 PM
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Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
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Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

PRR

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

ecurity settings or invalid file format do not permit using 2025.11.21 Conflict Waiver with Vashon Island _34.pdf (207121 Byte

curity settings or invalid file format do not permit using 2025.11.21 Joint_Representation_Conflict_Waive_24.pdf (306472 Byte

To: Zack Shields
Cc: Evan Maxim; Cindy Corsilles; Jonathan Young; Lesa Ellis
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 3:23:31 PM
Attachments: 2025.11.21 Joint_Representation_Conflict_Waiver_Formal - signed.pdf
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image029.png

Hi Zack,

Attached are the signed waiver docs from Burien and Des Moines.

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

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From: Lesa Ellis <lkellis@seatacwa.gov>
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To: Jonathan Young <jyoung@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review

Attached are the two documents with a signature line for the city manager. I have added Jonathan's digital signature per his request.

Lesa Ellis

Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365

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Steven Taber
Partner

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- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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curity settings or invalid file format do not permit using 2025.11.21 Joint_Representation_Conflict_Waive_25.pdf (306472 Byte

PRR

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

From: Lesa Ellis
To: Jonathan Young
Cc: Evan Maxim; Cindy Corsilles; Barbara Mailo
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 1:41:48 PM
Attachments: 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf
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City Manager's Office
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Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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PRR25-593 12192025 002224

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: Jonathan Young

Its City Manager

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: Jonathan Young

Name: Jonathan Young

Title: City Manager

Date: 11/21/25

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

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To: Jonathan Young
Cc: Evan Maxim; Cindy Corsilles; Barbara Mailo
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Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

PRR25-593 12192025 002253

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: Jonathan Young

Its City Manager

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: Jonathan Young

Name: Jonathan Young

Title: City Manager

Date: 11/21/25

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

From: Lesa Ellis
To: Jonathan Young
Cc: Evan Maxim; Cindy Corsilles; Barbara Mailo
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 1:41:48 PM
Attachments: 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf
image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
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image011.png
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image018.png
image019.png
2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf

Attached are the two documents with a signature line for the city manager. I have added Jonathan's digital signature per his request.

Lesa Ellis
Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

Beginning 4/15/25, I'm teleworking on Mondays.

From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields

<zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
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[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

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Sent: Monday, November 17, 2025 10:57 AM
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Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
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Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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PRR25-593 12192025 002282

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The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: Jonathan Young

Its City Manager

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

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Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

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Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: Jonathan Young

Name: Jonathan Young

Title: City Manager

Date: 11/21/25

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

From: Barbara Mailo
To: Zack Shields
Cc: Evan Maxim; Cindy Corsilles; Jonathan Young; Lesa Ellis
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review
Date: Friday, November 21, 2025 3:24:31 PM
Attachments: image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
image020.png
image021.png
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image028.png
image029.png
2025.11.21 Conflict Waiver with Vashon Island Fair Skies - signed.pdf
2025.11.21 Joint_Representation_Conflict_Waiver_Formal - signed.pdf

---

Hi Zack,

Attached are the signed waiver docs from Burien and Des Moines.

Regards,

Barbara Mailo
Administrative Assistant 3
Community & Economic Development
o: 206.973.4840

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

From: Lesa Ellis <lkellis@seatacwa.gov>
Sent: Friday, November 21, 2025 1:42 PM
To: Jonathan Young <jyoung@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Barbara Mailo <bmailo@seatacwa.gov>
Subject: RE: Waivers of Conflicts of Interest and Draft Petition for Review

Attached are the two documents with a signature line for the city manager. I have added Jonathan's digital signature per his request.

Lesa Ellis
Executive Assistant
City Manager's Office
o: 206.973.4810 **c:** 206.786.3365
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Beginning 4/15/25, I'm teleworking on Mondays.

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Sent: Friday, November 21, 2025 8:37 AM
To: Lesa Ellis <lkellis@seatacwa.gov>
Cc: Evan Maxim <emaxim@seatacwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>
Subject: FW: Waivers of Conflicts of Interest and Draft Petition for Review

Hi Lesa – these are approved to sign and return. Thank you!

Jonathan

From: Steven Taber <staber@leechtishman.com>
Sent: Friday, November 21, 2025 8:34 AM
To: Evan Maxim <emaxim@seatacwa.gov>; Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>; Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: Waivers of Conflicts of Interest and Draft Petition for Review

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Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

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Subject: 4-City meeting this afternoon

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  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim
Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

PRR

PRR

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

ecurity settings or invalid file format do not permit using 2025.11.21 Conflict Waiver with Vashon Island _38.pdf (207121 Byte

curity settings or invalid file format do not permit using 2025.11.21 Joint_Representation_Conflict_Waive_29.pdf (306472 Byte

From: Peter Kwon
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Re: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 6:19:45 PM
Attachments: image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png

Why does it say "Attorneys for Vashon Island Fair Skies" on page 4 of the document? Shouldn't it say Burien, Des Moines, and SeaTac?

Thanks.
-Peter

_____
From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Tuesday, November 25, 2025 4:09 PM
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD

Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

[cid:image002.png@01DC5E25.EB2B32F0]<https://www.seatacwa.gov/>
Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810
[cid:image003.png@01DC5E25.EB2B32F0][cid:image004.png@01DC5E25.EB2B32F0]
[cid:image005.png@01DC5E25.EB2B32F0][cid:image006.png@01DC5E25.EB2B32F0]
[cid:image007.png@01DC5E25.EB2B32F0][cid:image008.png@01DC5E25.EB2B32F0]
[cid:image009.png@01DC5E25.EB2B32F0][A blue circle with black letters Description automatically generated]
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PRR

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To: Jonathan Young
Cc: Cindy Corsilles
Subject: Re: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 6:19:42 PM
Attachments: image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png

Why does it say "Attorneys for Vashon Island Fair Skies" on page 4 of the document? Shouldn't it say Burien, Des Moines, and SeaTac?

Thanks.
-Peter

_____
From: Jonathan Young <jyoung@seatacwa.gov>
Sent: Tuesday, November 25, 2025 4:09 PM
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Petition for Review FAA NEPA FONSI ROD

Mayor, City Council –

Pursuant to the terms of the ILA with Burien and Des Moines we have coordinated with outside legal counsel to appeal the FAA's NEPA Finding of No Significant Impact and Record of Decision. Attached is the Petition for Review that was filed yesterday, along with the email from the Court indicating that they received it. Please feel free to let me or Interim City Attorney Corsilles know if you have any questions.

Thank you!

Jonathan

[cid:image002.png@01DC5E25.EB2B32F0]<https://www.seatacwa.gov/>
Jonathan Young
City Manager
City of SeaTac
T: 206.973.4810
[cid:image003.png@01DC5E25.EB2B32F0][cid:image004.png@01DC5E25.EB2B32F0]
[cid:image005.png@01DC5E25.EB2B32F0][cid:image006.png@01DC5E25.EB2B32F0]
[cid:image007.png@01DC5E25.EB2B32F0][cid:image008.png@01DC5E25.EB2B32F0]
[cid:image009.png@01DC5E25.EB2B32F0][A blue circle with black letters Description automatically generated]
This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

PRR

From: Peter Kwon
To: Jonathan Young
Cc: Cindy Corsilles
Subject: Re: Petition for Review FAA NEPA FONSI ROD
Date: Tuesday, November 25, 2025 6:19:45 PM
Attachments: image002.png
image003.png
image004.png
image005.png
image006.png
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[cid:image009.png@01DC5E25.EB2B32F0][A blue circle with black letters Description automatically generated]
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PRR

From: Cheryl Swab
To: Andres Mantilla
Subject: StART Meeting Summary - August 27
Date: Thursday, October 30, 2025 1:28:07 PM
Attachments: StART-MeetingSummaryDraft-20250827v3.pdf

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello,

Attached is the meeting summary from the August meeting.

Best,

Cheryl

--

Cheryl Swab (she/her)

CONSULTANT
Uncommon Bridges
(formerly BDS Planning & Urban Design)

1932 1st Avenue, Suite 814
Seattle, WA 98101

206.228.8799

www.uncommonbridges.com

StART

MEETING SUMMARY
AUGUST 27, 2025; 5:00 PM – 7:00 PM
VIA ZOOM VIDEOCONFERENCE

Meeting Objectives:

- An update on Washington State's Commercial Aviation Work Group's (CAWG) efforts and finalizing StART's 2025/26 priorities

I. Facilitator Welcome, Meeting Management, Introductions, Opening Comments
Andrés Mantilla, Facilitator, Uncommon Bridges; Arif Ghouse, StART Chair/Interim SEA Managing Director, Port of Seattle (POS)

- Andrés introduced the agenda and ground rules for meeting participation
- Arif Ghouse, interim SEA Airport Managing Director commented on the CAWG and his role as a member. He thanked Ann Richart for joining the meeting.

II. Commercial Aviation Work Group (CAWG)
Ann Richart, Aviation Director, WSDOT

- Explained the delays in getting CAWG off the ground: change of governors; terms that had expired before the work had begun due to staggered term end dates; only 13 of the 19 slots appointed.
  - Nineteen voting members; 11 non-voting members. Voting members must invite non-voting members to join; 8 slots are filled
  - Ann reminded the group that although WSDOT is responsible for administering the Work Group and reporting on its findings, it is an independent work group created by the State Legislature
  - Had to develop a charter and operating procedures
- The enacting Legislation directs WSDOT to hire a consultant, but that contractor is accountable primarily to the work group, not the agency. *Question: What type of oversight does the governor or the legislature have*? The Governor independently appoints individual members; the legislature passed a bill enumerating specific groups that must be represented and dictates *ongoing* funding for the *work group's continued operations as part of the State budgeting process*. Legislation passed in 2023 created the CAWG. The enacted 2025 operating budget made several changes supported by StART. Legislature has four seats on the CAWG
- Meetings so far: July 2024; March 2025; September 17, 2025, is the next meeting
- Hiring a consultant

PRR25-593 12192025 002365

- Work Group has developed its own scope of work for the consultant
- Proposals are due September 5 – primarily to serve as the facilitator, provide the literature review and additional requested briefings on the following:
  - Washington State legal issues – Attorney General's office cannot provide legal advice to the group because they are independent
  - Advanced air mobility/ Sustainable aviation
  - Regional air service – smaller communities that use SEA for connections
  - Multi-modal transportation planning
  - Create a task list and budget

- *Comment: Very disappointed in the time this has taken to get off the ground. We were close to a solution with the previous group. Where do we go from here?* Ann believes that the group is motivated and there will be progress. All meetings have a public comment period and StART members can share thoughts with the CAWG directly.
- *Comment: Frustration from the City of Des Moines. Past efforts have not been successful, and their residents are not hopeful for any future solution. It is difficult to know how the work group will affect surrounding communities. Des Moines residents want mitigation of SEA's impacts, another airport does not help. StART should focus on what's happening here today.*
- *Question: Can we influence this process in any way that makes any difference to the cities around the airport?* Previous efforts to identify airport sites chose potential locations without having any advocates for that location. Communities that want to sponsor a new airport should be able to make a case for the economic benefit it would bring. Looking to have a city or county step forward and ask for the airport rather than being told they must accept a new airport; make this an opportunity for someone to step up.
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- *Question: SEA will continue to grow; do we as StART have a chance to impact the CAWG?* Definitely should be interaction between StART and the CAWG. StART should consider how they want to share their concerns and recommendations with the CAWG.
- *Comment: Unlikely that a community will step up until the negative effects on near-airport cities are addressed. Burien believes that the Port is lobbying against the needs of near-airport cities. How will the CAWG address the negative aspects of hosting an airport?* City of Yakima is interested in having the new airport if there's an efficient way to get folks there. Snohomish County has added Seattle into the name of Paine Field. Another representative said residents see pros and cons to being next to the airport.

PRR25-593 12192025 002366

III. Finalize Strategic Priorities, Andrés Mantilla, Uncommon Bridges

- In April and the following meetings, members discussed what can we prioritize in this space and where we can work together on shared action. Already received good feedback from the Steering Committee. We are doing one more round of feedback from the StART membership; would like to get to agreement to move forward on adopting the shared priorities.
- There were a lot of issues everyone cares about; prioritize areas where StART could address the most pressing challenges while also understanding that there are parameters about what we can do.
- Three areas of strategic priorities:
  - Reducing noise impacts
    - Impact of FAA DNL decision
    - State legislation: pollution and environment
    - Sound insulation
    - Share Action from Steering Committee
      - Presentation from FAA on go-arounds
      - SAMP understanding
      - Spending more time to understand and digest how the Port's sound insulation program and repair and replacement pilot programs are implemented
      - FAA on-line flight procedures portal – suggested flight patterns or routes around SEA
    - *Comment: Biggest impact we've had is the voluntary Late Night Noise Limitation Program to get airlines to use quieter planes.*
    - *Comment: Over decades, we've been trying to fix packages that have failed but haven't succeeded. It seems futile to try to continue doing something that isn't working. Would like to see a new program like what is done around San Francisco Airport.*
    - *Comment: Agreement with what was said above. It's a local issue and needs a local solution. Tying it to the FAA is not working.*

  - Environmental Justice – aviation fuel, fine particulates
    - More conversations and investments in air quality
    - Building out an information hub that can show the progress on outcomes and deliverables and make information available to the public
    - *Comment: Air quality is a critical issue (monitor and study); need to reliably know the health impacts*
    - *Comment: Partner with the UW and make sure UW programs are integrated into our work and continue to be funded.*
    - *Comment: SAF we have that as a priority but not sure we can impact it. What can we do in StART to influence it? Not sure it should be a priority.*

PRR25-593 12192025 002367

- Airport Capacity
  - Continue to understand SAMP
  - Get involved in the CAWG
  - Tune into Paine Field process
  - *Question: Alaska moving some flights to PDX, can the airport communities in Portland stop them from doing that? Response - If you take federal money, airports have to let airlines use airports.*
  - *Comment: We are just one of many airport city coalitions and so hard to affect change in Washington, DC. If the Port and communities agree, let's set up a national coalition of StART and StART-like groups to have a bigger impact in Washington, DC.*
- This information will go back to the Steering Committee to be finalized. Email any additions you may have to Cheryl to be included.

IV. Policy Working Group Activities

Eric Schinfeld, Federal Relations Manager, POS & John Flanagan, State Government Relations Manager, POS

- Updated versions of the draft legislative agendas will be sent out before the next Policy Working Group meeting.
- Appreciated the comments about working nationally with other airport communities to jointly advocate on federal policy issues and how to build bigger coalitions. Port is very interested in this idea and we will take it up at the next policy working group meeting. Larger coalitions at both the federal and state levels would be helpful.
- Federal agenda: trying to get our final two priorities enacted into law and ensure that our other priorities are implemented and timelines are met (e.g., FAA deadline to review DNL). While this is a different political climate, we can still achieve success.
- *Question: If the FAA doesn't meet the timeline for the DNL review, what happens?* At the least, Members of Congress who support the provisions will have to raise their concerns. Congress has some ability to exert pressure if deadlines are not met.
- CAWG – Concerns about whether StART has a legislative role there. We did have success in re-establishing provisions vetoed by Governor Inslee related to the CAWG's scope of work, re-establishing reporting requirements, and assigning hard deadlines to the work group's deliverables. We also lobbied for updates to the legislation to include language requiring the CAWG to study and provide recommendations on possible incentives for airport communities.
- Air quality – Call out ongoing work being done at UW.
- High speed rail – Specifically mentioned and support for the work happening at the state level.
- *Comment: Advocate for House Bill 5626. Issue because Port lobbied against it last session.*

PRR25-593 12192025 002368

Would like to see support for the bill included in the state legislative priorities. This will be discussed at the October Policy Working Group meeting.

V. Aviation Noise Working Group Activities

Tom Fagerstrom, Noise Programs Manager, POS

- What was covered at the August 11th meeting:
    - Tom and Paris covered the Late Night Noise Limitation Program's 2nd quarter results, Third Runway use to date, the latest monthly averages for aircraft go-arounds and June's totals for noise comments/complaints.
    - A sound insulation update was also provided which included the current work involving single-family homes, places of worship and apartments.
    - The Port's Sound Insulation Repair and Replacement Pilot Program was also covered; 262 homes met the eligibility requirements for acoustical testing and 132 of the 262 applied to participate in the acoustic testing. Interior acoustic testing is ongoing and expected to be complete in the fall. Report is available to review here.
    - The bulk of the meeting was dedicated to the Part 150 Study and the work of the Study's Technical Review Committee (TRC) including the latest involving the submittal of the Draft Noise Exposure Map (NEM) Report to the FAA, the plan to meet with the local jurisdictions to discuss current and future land-use within the 65 DNL, the kick-off the Noise Compatibility Program (NCP) phase of the study where a host of measures to limit aircraft noise exposure on the surrounding communities are explored and the overall public schedule. Tom also shared the dates and locations for Part 150 Study's upcoming public workshops this fall. Information is located at SEA Part 150.
    - The Part 150 Study consultants and the FAA had a meeting with Vashon Island residents to discuss possible noise analysis work to be conducted in conjunction with the Study.
- *Question: Only a few homes are taking advantage of the packages, do homeowners still have to sign away any legal claims?* Requirements remain the same. Port staff described the extensive outreach the Port does to reach those possibly eligible for the program.
- *Question: Can you confirm that you use different types of outreach?* Postcards, letters, multiple languages, door to door when construction is being done on the block. Biggest factor is whether the home was recently purchased. New homeowners are more inclined to apply.
- *Question: Was there an FAA representative with you when you met with Vashon?* No, this was by design. Wanted them to meet with Port staff and ESA to listen to concerns and gather more data.

VI. SAMP

Clare Gallagher, Capital Project Delivery Director, POS

PRR25-593 12192025 002369

Work remains on schedule for FAA's publication of NEPA final determination. Final date not confirmed but they expect to publish the Environmental Assessment during the timeframe of 9/22-10/31. In advance of the release, Port staff is planning to brief the Port Commission at a a public session (9/23, 10/14 or 10/28). Port will confirm which meeting as soon as they know. Publication will start the FAA's 60-day public appeal period. Port's Environmental Impact Study for SEPA on schedule to publish in Q1 of 2026.

VII. Public Comment

- Brian Davis – Vice Chair of the Burien Airport Committee. City leadership has determined the Sound Insulation Repair and Replacement Program is not viable and this will be communicated to the Port Commission. Testing is only for acoustics and does not consider other types of failures. Only five have qualified. State funding seems unlikely. Many homes are now outside the zone and no longer eligible. The Port should fund a new program through its property tax levy like San Francisco Airport does. Three million dollars a year will go a long way.
- David Goebel – President of Vashon Fair Skies. Thank you for setting up the meeting. Surprised more cities are not included in efforts. Vashon has no man-made noise until now. Shattered the entire natural environment. Not been allowed to be represented on StART. Do something about the webinar panelist mode. Go back to in person or hybrid meetings so meetings are not so opaque.

VIII. Wrap Up/Next Steps

- Next Meeting is on October 22, 2025 – 5:00 PM – 7:00 PM

Members	Interest Represented	Present
Adolfo Bailon	Burien - City	✓
Aleta Best	FAA (EX Officio)	-
Alethia Miller	Alaska Airlines	✓
Amy Arrington	Normandy Park - City	✓
Arif Ghouse	Port of Seattle - Chair	✓
Bill Vadino	Federal Way – City	✓
Brandon Miles	Tukwila - City	-
Bryan Tomich	Normandy Park – Community Representative	✓
Garmon Newsom II	Burien – City (Alt)	-
Jeff Harbaugh	Burien – Community Representative	✓
Jennifer Redding	FAA	✓
Joe Dusenbury	Des Moines – Community Representative	✓
Joseph Bert	FAA	✓
Jonathan Young	SeaTac – City	✓
Julie Le	SeaTac – Community Representative	-
Jennifer Martin	Air Cargo Representative, CFI Forwarders	-
Karen Veloria	Burien – Community Representative	✓
Kathleen Wilson	Tukwila – Community Representative	✓
Katherine Caffrey	Des Moines - City	-
Laurel Humphrey	Tukwila – City (Alt)	-

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Michael Brugato	Federal Way – Community Representative	-
Moira Bradshaw	Normandy Park – Community Representative	✓
Peter Schilling	Tukwila – Community Representative	✓
Rebecca Deming	Des Moines – City (Alt)	-
Roger Kadeg	SeaTac – Community Representative	✓
Sarah Cox	Port of Seattle – Chair (Alt)	✓
Scott Ingham	Delta Air Lines (Alt)	✓
Scott Kennedy	Alaska Airlines	-
Resources		
Paris Edwards	Port of Seattle	✓
Steve Vittner	Port of Seattle	✓
Marco Milanese	Port of Seattle	✓
Julie Kinzie	Port of Seattle	✓
Presenters		
John Flanagan	Port of Seattle	✓
Tom Fagerstrom	Port of Seattle	✓
Eric Schinfeld	Port of Seattle	✓
Ann Richart	Director Aviation, SDOT	✓
Clare Gallagher	Port of Seattle	✓
Consultants		
Andrés Mantilla	Uncommon Bridges	✓
Cheryl Swab	Uncommon Bridges	✓
Vince Mestre	Consultant	-
Public Comment		
Brian Davis	Burien Airport Committee	✓
David Goebel	Vashon Fair Skies	✓
Audience		
Ashley Zayed		✓
Angela Cheung		✓
Dawson Frank		✓
Laura Schladatzky		✓
Rya Butterfield	FAA	✓
Suzette Moore		✓
Sky Laron	FAA	✓
Zack Shields	SeaTac	✓
Dave Kaplan	Port of Seattle	✓
JC Harris		✓
Anthony Hemstad	City of Des Moines/Hemstad Consulting	✓

Next Meeting: October 22, 2025 - 5:00 pm - 7:00 pm
Location: Zoom Webinar

PRR25-593 12192025 002371

From: Cheryl Swab
To: Cheryl Swab
Subject: StART Meeting Summary - August 27
Date: Tuesday, October 21, 2025 12:03:16 PM
Attachments: StART-MeetingSummaryDraft-20250827v3.pdf

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello,

Please review the draft summary from the August 27 StART meeting. Let me know if you have any comments or changes by October 27.

Best,

Cheryl

--

Cheryl Swab (she/her)

CONSULTANT
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StART

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PRR25-593 12192025 002373

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PRR25-593 12192025 002374

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    - More conversations and investments in air quality
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PRR25-593 12192025 002375

- Airport Capacity
  - Continue to understand SAMP
  - Get involved in the CAWG
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PRR25-593 12192025 002376

Would like to see support for the bill included in the state legislative priorities. This will be discussed at the October Policy Working Group meeting.

V. Aviation Noise Working Group Activities

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    - The Part 150 Study consultants and the FAA had a meeting with Vashon Island residents to discuss possible noise analysis work to be conducted in conjunction with the Study.
- *Question: Only a few homes are taking advantage of the packages, do homeowners still have to sign away any legal claims?* Requirements remain the same. Port staff described the extensive outreach the Port does to reach those possibly eligible for the program.
- *Question: Can you confirm that you use different types of outreach?* Postcards, letters, multiple languages, door to door when construction is being done on the block. Biggest factor is whether the home was recently purchased. New homeowners are more inclined to apply.
- *Question: Was there an FAA representative with you when you met with Vashon?* No, this was by design. Wanted them to meet with Port staff and ESA to listen to concerns and gather more data.

VI. SAMP

Clare Gallagher, Capital Project Delivery Director, POS

PRR25-593 12192025 002377

Work remains on schedule for FAA's publication of NEPA final determination. Final date not confirmed but they expect to publish the Environmental Assessment during the timeframe of 9/22-10/31. In advance of the release, Port staff is planning to brief the Port Commission at a a public session (9/23, 10/14 or 10/28). Port will confirm which meeting as soon as they know. Publication will start the FAA's 60-day public appeal period. Port's Environmental Impact Study for SEPA on schedule to publish in Q1 of 2026.

VII. Public Comment

- Brian Davis – Vice Chair of the Burien Airport Committee. City leadership has determined the Sound Insulation Repair and Replacement Program is not viable and this will be communicated to the Port Commission. Testing is only for acoustics and does not consider other types of failures. Only five have qualified. State funding seems unlikely. Many homes are now outside the zone and no longer eligible. The Port should fund a new program through its property tax levy like San Francisco Airport does. Three million dollars a year will go a long way.
- David Goebel – President of Vashon Fair Skies. Thank you for setting up the meeting. Surprised more cities are not included in efforts. Vashon has no man-made noise until now. Shattered the entire natural environment. Not been allowed to be represented on StART. Do something about the webinar panelist mode. Go back to in person or hybrid meetings so meetings are not so opaque.

VIII. Wrap Up/Next Steps

- Next Meeting is on October 22, 2025 – 5:00 PM – 7:00 PM

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Aleta Best	FAA (EX Officio)	-
Alethia Miller	Alaska Airlines	✓
Amy Arrington	Normandy Park - City	✓
Arif Ghouse	Port of Seattle - Chair	✓
Bill Vadino	Federal Way – City	✓
Brandon Miles	Tukwila - City	-
Bryan Tomich	Normandy Park – Community Representative	✓
Garmon Newsom II	Burien – City (Alt)	-
Jeff Harbaugh	Burien – Community Representative	✓
Jennifer Redding	FAA	✓
Joe Dusenbury	Des Moines – Community Representative	✓
Joseph Bert	FAA	✓
Jonathan Young	SeaTac – City	✓
Julie Le	SeaTac – Community Representative	-
Jennifer Martin	Air Cargo Representative, CFI Forwarders	-
Karen Veloria	Burien – Community Representative	✓
Kathleen Wilson	Tukwila – Community Representative	✓
Katherine Caffrey	Des Moines - City	-
Laurel Humphrey	Tukwila – City (Alt)	-

PRR25-593 12192025 002378

Michael Brugato	Federal Way – Community Representative	-
Moira Bradshaw	Normandy Park – Community Representative	✓
Peter Schilling	Tukwila – Community Representative	✓
Rebecca Deming	Des Moines – City (Alt)	-
Roger Kadeg	SeaTac – Community Representative	✓
Sarah Cox	Port of Seattle – Chair (Alt)	✓
Scott Ingham	Delta Air Lines (Alt)	✓
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Resources		
Paris Edwards	Port of Seattle	✓
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Presenters		
John Flanagan	Port of Seattle	✓
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Eric Schinfeld	Port of Seattle	✓
Ann Richart	Director Aviation, SDOT	✓
Clare Gallagher	Port of Seattle	✓
Consultants		
Andrés Mantilla	Uncommon Bridges	✓
Cheryl Swab	Uncommon Bridges	✓
Vince Mestre	Consultant	-
Public Comment		
Brian Davis	Burien Airport Committee	✓
David Goebel	Vashon Fair Skies	✓
Audience		
Ashley Zayed		✓
Angela Cheung		✓
Dawson Frank		✓
Laura Schladatzky		✓
Rya Butterfield	FAA	✓
Suzette Moore		✓
Sky Laron	FAA	✓
Zack Shields	SeaTac	✓
Dave Kaplan	Port of Seattle	✓
JC Harris		✓
Anthony Hemstad	City of Des Moines/Hemstad Consulting	✓

Next Meeting: October 22, 2025 - 5:00 pm - 7:00 pm
Location: Zoom Webinar

PRR25-593 12192025 002379

From: Cheryl Swab
To: Andres Mantilla
Subject: StART Meeting Summary - August 27
Date: Thursday, October 30, 2025 1:28:08 PM
Attachments: StART-MeetingSummaryDraft-20250827v3.pdf

[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello,

Attached is the meeting summary from the August meeting.

Best,

Cheryl

--

Cheryl Swab (she/her)

CONSULTANT
Uncommon Bridges
(formerly BDS Planning & Urban Design)

1932 1st Avenue, Suite 814
Seattle, WA 98101

206.228.8799

www.uncommonbridges.com

StART

MEETING SUMMARY
AUGUST 27, 2025; 5:00 PM – 7:00 PM
VIA ZOOM VIDEOCONFERENCE

Meeting Objectives:

- An update on Washington State's Commercial Aviation Work Group's (CAWG) efforts and finalizing StART's 2025/26 priorities

I. Facilitator Welcome, Meeting Management, Introductions, Opening Comments
Andrés Mantilla, Facilitator, Uncommon Bridges; Arif Ghouse, StART Chair/Interim SEA Managing Director, Port of Seattle (POS)

- Andrés introduced the agenda and ground rules for meeting participation
- Arif Ghouse, interim SEA Airport Managing Director commented on the CAWG and his role as a member. He thanked Ann Richart for joining the meeting.

II. Commercial Aviation Work Group (CAWG)
Ann Richart, Aviation Director, WSDOT

- Explained the delays in getting CAWG off the ground: change of governors; terms that had expired before the work had begun due to staggered term end dates; only 13 of the 19 slots appointed.
  - Nineteen voting members; 11 non-voting members. Voting members must invite non-voting members to join; 8 slots are filled
  - Ann reminded the group that although WSDOT is responsible for administering the Work Group and reporting on its findings, it is an independent work group created by the State Legislature
  - Had to develop a charter and operating procedures
- The enacting Legislation directs WSDOT to hire a consultant, but that contractor is accountable primarily to the work group, not the agency. *Question: What type of oversight does the governor or the legislature have*? The Governor independently appoints individual members; the legislature passed a bill enumerating specific groups that must be represented and dictates *ongoing* funding for the *work group's continued operations as part of the State budgeting process*. Legislation passed in 2023 created the CAWG. The enacted 2025 operating budget made several changes supported by StART. Legislature has four seats on the CAWG
- Meetings so far: July 2024; March 2025; September 17, 2025, is the next meeting
- Hiring a consultant

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- Work Group has developed its own scope of work for the consultant
- Proposals are due September 5 – primarily to serve as the facilitator, provide the literature review and additional requested briefings on the following:
  - Washington State legal issues – Attorney General's office cannot provide legal advice to the group because they are independent
  - Advanced air mobility/ Sustainable aviation
  - Regional air service – smaller communities that use SEA for connections
  - Multi-modal transportation planning
  - Create a task list and budget

- *Comment: Very disappointed in the time this has taken to get off the ground. We were close to a solution with the previous group. Where do we go from here?* Ann believes that the group is motivated and there will be progress. All meetings have a public comment period and StART members can share thoughts with the CAWG directly.
- *Comment: Frustration from the City of Des Moines. Past efforts have not been successful, and their residents are not hopeful for any future solution. It is difficult to know how the work group will affect surrounding communities. Des Moines residents want mitigation of SEA's impacts, another airport does not help. StART should focus on what's happening here today.*
- *Question: Can we influence this process in any way that makes any difference to the cities around the airport?* Previous efforts to identify airport sites chose potential locations without having any advocates for that location. Communities that want to sponsor a new airport should be able to make a case for the economic benefit it would bring. Looking to have a city or county step forward and ask for the airport rather than being told they must accept a new airport; make this an opportunity for someone to step up.
- *Question: do you have any optimism of anything positive coming out of this effort? We need to do something to change the rate of growth at SEA. Does StART have any influence with the group?* Ann is optimistic and we have opportunities. A new airport doesn't have to be the only solution. Looking at other alternatives is important. Portland and Vancouver can be options to take some of the traffic. Olympia and those living south may already be driving to PDX.
- *Question: SEA will continue to grow; do we as StART have a chance to impact the CAWG?* Definitely should be interaction between StART and the CAWG. StART should consider how they want to share their concerns and recommendations with the CAWG.
- *Comment: Unlikely that a community will step up until the negative effects on near-airport cities are addressed. Burien believes that the Port is lobbying against the needs of near-airport cities. How will the CAWG address the negative aspects of hosting an airport?* City of Yakima is interested in having the new airport if there's an efficient way to get folks there. Snohomish County has added Seattle into the name of Paine Field. Another representative said residents see pros and cons to being next to the airport.

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III. Finalize Strategic Priorities, Andrés Mantilla, Uncommon Bridges

- In April and the following meetings, members discussed what can we prioritize in this space and where we can work together on shared action. Already received good feedback from the Steering Committee. We are doing one more round of feedback from the StART membership; would like to get to agreement to move forward on adopting the shared priorities.
- There were a lot of issues everyone cares about; prioritize areas where StART could address the most pressing challenges while also understanding that there are parameters about what we can do.
- Three areas of strategic priorities:
  - Reducing noise impacts
    - Impact of FAA DNL decision
    - State legislation: pollution and environment
    - Sound insulation
    - Share Action from Steering Committee
      - Presentation from FAA on go-arounds
      - SAMP understanding
      - Spending more time to understand and digest how the Port's sound insulation program and repair and replacement pilot programs are implemented
      - FAA on-line flight procedures portal – suggested flight patterns or routes around SEA
    - *Comment: Biggest impact we've had is the voluntary Late Night Noise Limitation Program to get airlines to use quieter planes.*
    - *Comment: Over decades, we've been trying to fix packages that have failed but haven't succeeded. It seems futile to try to continue doing something that isn't working. Would like to see a new program like what is done around San Francisco Airport.*
    - *Comment: Agreement with what was said above. It's a local issue and needs a local solution. Tying it to the FAA is not working.*

  - Environmental Justice – aviation fuel, fine particulates
    - More conversations and investments in air quality
    - Building out an information hub that can show the progress on outcomes and deliverables and make information available to the public
    - *Comment: Air quality is a critical issue (monitor and study); need to reliably know the health impacts*
    - *Comment: Partner with the UW and make sure UW programs are integrated into our work and continue to be funded.*
    - *Comment: SAF we have that as a priority but not sure we can impact it. What can we do in StART to influence it? Not sure it should be a priority.*

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- Airport Capacity
  - Continue to understand SAMP
  - Get involved in the CAWG
  - Tune into Paine Field process
  - *Question: Alaska moving some flights to PDX, can the airport communities in Portland stop them from doing that? Response - If you take federal money, airports have to let airlines use airports.*
  - *Comment: We are just one of many airport city coalitions and so hard to affect change in Washington, DC. If the Port and communities agree, let's set up a national coalition of StART and StART-like groups to have a bigger impact in Washington, DC.*
- This information will go back to the Steering Committee to be finalized. Email any additions you may have to Cheryl to be included.

IV. Policy Working Group Activities

Eric Schinfeld, Federal Relations Manager, POS & John Flanagan, State Government Relations Manager, POS

- Updated versions of the draft legislative agendas will be sent out before the next Policy Working Group meeting.
- Appreciated the comments about working nationally with other airport communities to jointly advocate on federal policy issues and how to build bigger coalitions. Port is very interested in this idea and we will take it up at the next policy working group meeting. Larger coalitions at both the federal and state levels would be helpful.
- Federal agenda: trying to get our final two priorities enacted into law and ensure that our other priorities are implemented and timelines are met (e.g., FAA deadline to review DNL). While this is a different political climate, we can still achieve success.
- *Question: If the FAA doesn't meet the timeline for the DNL review, what happens?* At the least, Members of Congress who support the provisions will have to raise their concerns. Congress has some ability to exert pressure if deadlines are not met.
- CAWG – Concerns about whether StART has a legislative role there. We did have success in re-establishing provisions vetoed by Governor Inslee related to the CAWG's scope of work, re-establishing reporting requirements, and assigning hard deadlines to the work group's deliverables. We also lobbied for updates to the legislation to include language requiring the CAWG to study and provide recommendations on possible incentives for airport communities.
- Air quality – Call out ongoing work being done at UW.
- High speed rail – Specifically mentioned and support for the work happening at the state level.
- *Comment: Advocate for House Bill 5626. Issue because Port lobbied against it last session.*

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Would like to see support for the bill included in the state legislative priorities. This will be discussed at the October Policy Working Group meeting.

V. Aviation Noise Working Group Activities

Tom Fagerstrom, Noise Programs Manager, POS

- What was covered at the August 11th meeting:
    - Tom and Paris covered the Late Night Noise Limitation Program's 2nd quarter results, Third Runway use to date, the latest monthly averages for aircraft go-arounds and June's totals for noise comments/complaints.
    - A sound insulation update was also provided which included the current work involving single-family homes, places of worship and apartments.
    - The Port's Sound Insulation Repair and Replacement Pilot Program was also covered; 262 homes met the eligibility requirements for acoustical testing and 132 of the 262 applied to participate in the acoustic testing. Interior acoustic testing is ongoing and expected to be complete in the fall. Report is available to review here.
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Clare Gallagher, Capital Project Delivery Director, POS

PRR25-593 12192025 002385

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Joseph Bert	FAA	✓
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Julie Le	SeaTac – Community Representative	-
Jennifer Martin	Air Cargo Representative, CFI Forwarders	-
Karen Veloria	Burien – Community Representative	✓
Kathleen Wilson	Tukwila – Community Representative	✓
Katherine Caffrey	Des Moines - City	-
Laurel Humphrey	Tukwila – City (Alt)	-

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Michael Brugato	Federal Way – Community Representative	-
Moira Bradshaw	Normandy Park – Community Representative	✓
Peter Schilling	Tukwila – Community Representative	✓
Rebecca Deming	Des Moines – City (Alt)	-
Roger Kadeg	SeaTac – Community Representative	✓
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Clare Gallagher	Port of Seattle	✓
Consultants		
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Cheryl Swab	Uncommon Bridges	✓
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Suzette Moore		✓
Sky Laron	FAA	✓
Zack Shields	SeaTac	✓
Dave Kaplan	Port of Seattle	✓
JC Harris		✓
Anthony Hemstad	City of Des Moines/Hemstad Consulting	✓

Next Meeting: October 22, 2025 - 5:00 pm - 7:00 pm
Location: Zoom Webinar

PRR25-593 12192025 002387

From: Steven Taber
To: Cindy Corsilles
Subject: Waiver of Conflict with Vashon Island Fair Skies
Date: Sunday, October 12, 2025 5:41:19 PM
Attachments: image001.png
2025.10.12 Taber Corsilles ltr re Request for Waiver of Conflict of Interest.pdf

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[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hi Cindy,

Here is the letter and Waiver of Conflict. There is not any current conflict, and I do not anticipate any conflicts arising between the City of SeaTac (or the other municipalities) and Vashon Island Fair Skies. Indeed, your interests are very similar and the cost of the litigation can be shared with another party.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

LEECH | TISHMAN
NELSON HARDIMAN

October 12, 2025

Steven M. Taber
staber@leechtishman.com

Ms. Cindy Corsilles,
Interim City Attorney
City of SeaTac
4800 South 188th Street
SeaTac, Washington 98188-8605
ccorsilles@seatacwa.gov

Mr. David Goebel, President
Vashon Island Fair Skies
12412 Vashon Hwy SW,
Vashon, Washington, 98070-3307
david@vifs.org

Re: Request for Waiver of Conflict of Interest.

Dear Ms. Corsilles and Mr. Goebel:

This letter will confirm and is in follow-up to my recent conversation with both the City of SeaTac (the "City") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

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a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions

of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

WAIVER OF CONFLICT

We, the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of SeaTac, Washington

Dated: By: _____

From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Rebecca Deming; Liz Stead; Cindy Corsilles; Jennifer L. Sanscrainte; Nicholas G. Thomas; Adolfo Bailon; Jonathan Young; Katherine Caffrey
Subject:	Waivers of Conflicts of Interest and Draft Petition for Review
Date:	Friday, November 21, 2025 8:34:35 AM
Attachments:	image010.png image011.png image012.png image013.png image014.png image015.png image016.png image017.png image018.png image019.png 2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx 2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf 2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

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[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSONHARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

PRR25-593 12192025 002394

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From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

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Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim

Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 002407

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 002408

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 002409

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 002410

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

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The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

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From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Rebecca Deming; Liz Stead; Cindy Corsilles; Jennifer L. Sanscrainte; Nicholas G. Thomas; Adolfo Bailon; Jonathan Young; Katherine Caffrey
Subject:	Waivers of Conflicts of Interest and Draft Petition for Review
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Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

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From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
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Evan Maxim

Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
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FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 002434

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

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PRR25-593 12192025 002435

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Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 002436

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Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 002437

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• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

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3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

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WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Rebecca Deming; Liz Stead; Cindy Corsilles; Jennifer L. Sanscrainte; Nicholas G. Thomas; Adolfo Bailon; Jonathan Young; Katherine Caffrey
Subject:	Waivers of Conflicts of Interest and Draft Petition for Review
Date:	Friday, November 21, 2025 8:34:34 AM
Attachments:	image010.png image011.png image012.png image013.png image014.png image015.png image016.png image017.png image018.png image019.png 2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx 2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf 2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

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[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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Privileged and Confidential: This e-mail may contain or attach privileged, confidential or otherwise protected information intended only for the use of the intended recipient(s). If you are not an intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim

Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 002461

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

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after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 002463

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 002464

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

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3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

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(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

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Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

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Each Client may be subject to PRA requests under RCW 42.56.

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Counsel must take positions consistent with all Clients' interests.

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Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

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Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

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3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

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representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

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After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

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your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

PRR25-593 12192025 002473

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

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We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Rebecca Deming; Liz Stead; Cindy Corsilles; Jennifer L. Sanscrainte; Nicholas G. Thomas; Adolfo Bailon; Jonathan Young; Katherine Caffrey
Subject:	Waivers of Conflicts of Interest and Draft Petition for Review
Date:	Friday, November 21, 2025 8:34:34 AM
Attachments:	image010.png image011.png image012.png image013.png image014.png image015.png image016.png image017.png image018.png image019.png 2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx 2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf 2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

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[**NOTICE:** This message originated outside of City of SeaTac -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear All,

It came to my attention, that in order to formalize the joint representation of the three cities, it would be advisable to have a Joint Representation/Waiver of Conflicts Interest agreement. Please see the attached for your consideration. In addition, as I indicated earlier, Leech Tishman has been asked by a community group, Vashon Island Fair Skies, Inc., to represent them in filing a Petition for Review. Since their interests do not conflict with the Three Cities' interests, I am asking for you to sign the waiver of conflicts with Vashon Island Fair Skies as well. Please note that this does not include them in the joint representation. Also, note that should a conflict of interest arise, Leech Tishman would continue to represent the Three Cities since the City of SeaTac is a prior client of the Firm.

Let me know if you have any questions, comments, or concerns.

Best regards,

Steve

Steven Taber
Partner

LEECH | TISHMAN
NELSON HARDIMAN

T: 626.796.4000
DD: 626.395.7300
F: 626.795.6321
Toll Free: 844.750.1600
E: staber@leechtishman.com

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024

PITTSBURGH | CHICAGO | LOS ANGELES | NEW YORK | PHILADELPHIA | SARASOTA | WASHINGTON, D.C.

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From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

Good morning,

I have sent a meeting invitation to the three cities who are proceeding under the Interlocal Agreement, which will replace the original meeting series (cancelled shortly). My intent is to invite the attorneys from OMW and Leech Tishman to this meeting; I understand OMW cannot attend this afternoon but is working to get a joint letter of engagement to all three cities. In addition to the directors, I will also include the city managers for each city as "optional" for awareness.

Because there may be confidential information shared between the three cities, I won't include Normandy Park in the new meeting invitation. I'm happy to connect with Jeff or Amy separately if Normandy Park is interested in updates that are not confidential.

For this afternoon, I think there are a couple of logistical things to confirm:

- Status of:
  - Letters of Engagement
  - Interlocal Agreement
- Coordination around appeal of the NEPA review
  - Deadline 11/24
  - Any actions necessary by three cities to file an appeal?
  - Coordination between OMW and Leech Tishman
- Other?

Regards,

Evan Maxim

Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

This communication may be subject to public disclosure laws of the State of Washington (RCW 42.56)

LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 002488

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person "may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business." Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that "[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." Since the 60th day

PRR25-593 12192025 002489

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 002490

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a "nongovernmental corporate entity." Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 002491

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

All capitalized terms have the meanings given in the Fee Agreement or applicable Interlocal Agreement unless otherwise specified.

1. Purpose of This Agreement

The Clients have requested that Counsel represent them jointly in connection with the Joint Petition for Review of FAA's Approval of Port of Seattle's SAMP Project ("the Matter"). Because joint representation of multiple municipal entities creates potential concurrent-client conflicts under the Washington Rules of Professional Conduct ("WRPC"), Counsel must obtain informed consent, confirmed in writing, from each Client under WRPC 1.7(b)(4).

This Agreement:

1. Provides required conflict disclosures;

2. Obtains each Client's informed written consent; and

3. Explains how interlocal cost-sharing interacts with joint representation.

2. Ethical Framework

This Agreement is governed by:

- WRPC 1.7 (conflicts of interest)

- WRPC 1.6 (confidentiality)

- WRPC 1.13 and 1.0A (government organization as client; authority to consent)

• Comments 31–32 to WRPC 1.7 (common representation; no secrets among joint clients)

Because each municipality is a separate sovereign entity, divergent interests may arise even when goals are initially aligned.

3. Relationship to the Fee Agreement and Interlocal Cost-Sharing Arrangement

(a) Fee Agreement

The Fee Agreement governs billing rates, scope of services, invoice procedures, and payment terms. This Agreement does not modify the Fee Agreement.

(b) Interlocal Cost-Sharing Arrangement

The Clients have executed or agreed to an interlocal cost-sharing mechanism under RCW 39.34 to allocate Counsel's fees and costs associated with the Matter.

Accordingly:

1. Counsel will issue invoices as directed in the Fee Agreement;

2. The Clients will allocate responsibility for those invoices among themselves under an Interlocal Agreement or other mutually approved method;

3. Counsel is not responsible for interpreting, enforcing, or resolving disputes arising under the Interlocal Agreement.

Counsel's ethical obligations remain independent of the cost-sharing structure.

4. Potential Conflicts and Risks of Joint Representation

(a) Divergent Interests

Conflicts may arise regarding litigation strategy, settlement positions, cost allocation, public messaging, technical approaches, and policy preferences.

(b) Shared Confidentiality

Counsel must share all material information with all Clients and cannot keep relevant information confidential from any co-client.

(c) Public Records Act

Each Client may be subject to PRA requests under RCW 42.56.

(d) Unified Strategy Requirement

Counsel must take positions consistent with all Clients' interests.

(e) Counsel Cannot Represent Clients Against Each Other

Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

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3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

PRR25-593 12192025 002500

WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____

From:	Steven Taber
To:	Evan Maxim; Jenn Kester; Zack Shields; Rebecca Deming; Liz Stead; Cindy Corsilles; Jennifer L. Sanscrainte; Nicholas G. Thomas; Adolfo Bailon; Jonathan Young; Katherine Caffrey
Subject:	Waivers of Conflicts of Interest and Draft Petition for Review
Date:	Friday, November 21, 2025 8:34:36 AM
Attachments:	image010.png image011.png image012.png image013.png image014.png image015.png image016.png image017.png image018.png image019.png 2025.11.21 Draft Petition for Review - SEA SAMP Three Cities.docx 2025.11.21 Joint_Representation_Conflict_Waiver_Formal.pdf 2025.11.21 Taber ltr re Request for Waiver of Conflict of Interest.pdf 2025.11.21 Conflict Waiver with Vashon Island Fair Skies.pdf

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Let me know if you have any questions, comments, or concerns.

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Steve

Steven Taber
Partner

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From: Evan Maxim <emaxim@seatacwa.gov>
Sent: Monday, November 17, 2025 10:57 AM
To: Jenn Kester <jkester@seatacwa.gov>; Zack Shields <zshields@seatacwa.gov>; Rebecca Deming <rdeming@desmoineswa.gov>; Liz Stead <LizS@burienwa.gov>; Steven Taber <staber@leechtishman.com>; Cindy Corsilles <ccorsilles@seatacwa.gov>; Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>; Nicholas G. Thomas <nthomas@omwlaw.com>
Cc: Adolfo Bailon <adolfob@burienwa.gov>; Jonathan Young <jyoung@seatacwa.gov>; Amy Arrington <aarrington@normandyparkwa.gov>; Jeff Watson <jwatson@normandyparkwa.gov>; Katherine Caffrey <kcaffrey@desmoineswa.gov>
Subject: 4-City meeting this afternoon

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Regards,

Evan Maxim

Director
Pronouns: He / Him / His
Community and Economic Development
o: 206.973.4832 **c:** 206.462.0478

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LEECH TISHMAN
NELSON PARDYAN
PRR25-593 12192025

PRR

No. _____

In the
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FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

STEVEN M. TABER
Leech Tishman Nelson Hardiman, Inc.
1100 Glendon Ave., 14th Floor
Pasadena, California 91101
Telephone: (626) 796-4000
Facsimile: (626) 795-6321
staber@leechtishman.com

Attorneys for Petitioners City of Burien, City of Des Moines, and City of SeaTac, Washington

PRR25-593 12192025 002515

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the "Cities") hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration's decision signed on September 24, 2025, to issue an "Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport" ("FONSI/ROD"). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

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PRR25-593 12192025 002516

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Dated: November 21, 2025

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

PRR25-593 12192025 002517

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Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies

PRR25-593 12192025 002518

JOINT REPRESENTATION DISCLOSURE AND CONFLICT WAIVER

This Joint Representation Disclosure and Conflict Waiver ("Agreement") supplements the Fee Agreement dated [DATE] ("Fee Agreement") and the Interlocal Cost-Sharing Arrangement or Interlocal Agreement executed or approved by the City of SeaTac, the City of Burien, and the City of Des Moines (each, a "Client," and collectively, the "Clients"), and Leech Tishman Nelson Hardiman, Inc., by and through attorney Steven M. Taber ("Counsel").

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1. Provides required conflict disclosures;

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Counsel will not represent any Client against another joint Client in the Matter or in any substantially related matter.

5. Benefits of Joint Representation

Benefits include coordinated strategy, reduced duplication of work, consistent advocacy, and lower overall legal costs via cost-sharing.

6. Joint Representation and Interlocal Cost-Sharing

Cost-sharing obligations may create administrative differences among Clients, but these do not create a legal conflict unless they materially affect Counsel's representation.

7. Independent Counsel

Each Client may consult its own city attorney or outside counsel before signing this Agreement.

8. Procedure if a Conflict Later Arises

If a conflict arises:

1. Counsel will promptly disclose it;

2. The Clients will attempt to resolve it cooperatively;

3. If not curable, Counsel must withdraw from representation of all Clients unless continued representation is permissible under WRPC 1.7 and new informed written consent is provided.

9. Scope of Waiver

This waiver applies only to conflicts inherent in representing multiple municipal entities in this Matter and in implementing interlocal cost-sharing.

10. Authority to Consent

Each signatory affirms authority under WRPC 1.13(g) and municipal governance rules.

11. No Modification of Fee Agreement or Interlocal Agreement

This Agreement supplements but does not amend those documents.

ACKNOWLEDGMENT AND INFORMED WRITTEN CONSENT

Each Client acknowledges full written disclosure and voluntarily provides informed written consent.

CITY OF SEATAC

By: _____

Name:

Title:

Date:

CITY OF BURIEN

By: _____

Name:

Title:

Date:

CITY OF DES MOINES

By: _____

Name:

Title:

Date:

LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber

Steven M. Taber

Title: Partner

Date: November 21, 2025

BY EMAIL

November 21, 2025

The City of Burien, Washington

The City of Des Moines, Washington

The City of SeaTac, Washington

Re: Request for Waiver of Conflict of Interest.

Dear All:

This letter will confirm and is in follow-up to my recent conversation with both the City of Burien, the City of Des Moines, and the City of SeaTac (the "Cities") and Vashon Island Fair Skies, Inc. ("Vashon Island") that they wish Leech Tishman Nelson Hardiman, Inc. to represent them concurrently in connection with their Petitions for Review to be filed challenging the Federal Aviation Administration's Final Environmental Assessment and Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP"). I have discussed the possibility that our concurrent representation of both of you may constitute a potential conflict of interest.

In my opinion, no actual conflict exists at this time. This is because each party will be filing a separate Petition for Review and all parties currently share a commonality of interest in challenging the FAA's decision in the SAMP. The bases for my belief that no conflict currently exist are:

1. Each Petitioner is filing a separate and distinct Petition for Review and the merits of each petition will be decided on the basis of each Petitioner's petition and briefing.

2. At this point in time, there is no outcome that is favorable to one Petitioner that would disadvantage the other.

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3. On the other hand, there is a commonality of interests in challenging the FAA's Final EA and FONSI/ROD.

    a. Both parties are interested in holding the FAA accountable for its actions in increasing aviation noise by implementation of the SAMP;

    b. Both parties are interested in pursuing legal arguments that are consistent with their goals and do not interfere with the goals or strategy of the other.

Based on this information, no actual conflict of interest appears to be present.

In undertaking the concurrent representation of each of you, we cannot and will not advise any of you as to any matters upon which an actual conflict of interest develops among you. In the event that any conflict, dispute or disagreement arises between you as to your respective rights and defenses, we shall decline to represent you in any manner in connection with that dispute or disagreement.

Additionally, in the event that you develop inconsistent defenses or objectives, such that one of you wishes us to pursue a tactic or strategy which would adversely affect the interests of the other, a conflict would arise which would require us to withdraw as counsel for any of you. Thus, we will make every effort during the course of representation to confirm that each of you have a commonality of interest in connection with the positions asserted on your respective behalves. If your interests diverge during the course of representation, further disclosure and waiver of the conflict, or withdrawal from representation, will ensue. Should such divergence of your respective interests occur, both of you in your respective individual capacities expressly consents to our continuing representation of the City, even if we withdraw from further representation of the remaining client signing below.

You should also understand that, as among the jointly represented clients, there is no right to assert the attorney–client privilege with respect to communications relating to this joint representation. Under California Evidence Code § 962 and Washington Evidence Rule 502(d)(5), communications made by any of you to this firm in the course of a joint

representation may not be privileged as between you if a dispute later arises among you. By executing this letter, you expressly consent to our sharing with all joint clients any information communicated to us by any one of you, and you acknowledge that, if we receive information from one of you that is significant to the representation, we may have an ethical obligation under the ethical rules for attorneys to disclose that information to the others.

To the extent that the services of Leech Tishman Nelson Hardiman, Inc. are directed to an individual client, those fees and expenses will be the responsibility of the individual client who benefits from those services. To the extent that the services of Leech Tishman Nelson Hardiman, Inc. benefit both Petitioners, those attorneys' fees will apportioned among the clients, each owing 1/2 of the total number of hours, separately not jointly. To the extent that this arrangement may be considered that you will be paying the attorneys' fees of the other, we are required to obtain your written consent pursuant to the provisions of subdivision (F) of rule 3-310, Rules of Professional Conduct. We confirm to you that any payment of any of your attorneys' fees by the other shall not interfere with the independence of our professional judgment or the attorney/client relationship between our firm and each of you.

After termination of Leech Tishman Nelson Hardiman, Inc.'s services in this matter, we will request that you take possession of the original client file. You both expressly agree that we shall be deemed to comply with our duty to provide the file to our client by making the file available to both of you. In the event that neither of you takes possession of the client file upon the expiration of five years after our representation terminates in this matter, both of you expressly authorize Leech Tishman Nelson Hardiman, Inc. to destroy the original client file in the normal course of business.

By executing this letter where indicated below, both of you confirm that you have been fully informed as to the nature of the potential conflicts which arise as a result of our concurrent representation of both of you; that you have been provided a reasonable opportunity to seek the advice of independent counsel of your choice regarding these potential conflicts and waiver thereof; and you understand that a conflict may arise in the future which may require an additional disclosure and waiver by you, or, alternatively, withdrawal by this firm of representation of one of you. Additionally, you confirm that you will take the opportunity to retain independent counsel in the event you have any reservations regarding our concurrent representation of

your interests, the issues arising from that representation, and/or the waiver of the potential conflict of interest.

Assuming the foregoing accurately reflects your agreements, please execute and return to me the waiver form appended hereto. Of course, if either of you has any questions or comment, please feel free to give me a call. I look forward to working with you about this matter.

Thank you for your time and consideration of this matter. We look forward to hearing from you in the near future. If you have any questions or comments, please feel free to call me at (626) 395-7300 or send me an e-mail at staber@leechtishman.com.

Yours very truly,

LEECH TISHMAN NELSON HARDIMAN, INC.

Steven M. Taber

Steven M. Taber

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WAIVER OF CONFLICT

We, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, hereby acknowledge that we have carefully read the foregoing letter, informing us that our interests may potentially be in conflict with those of Vashon Island Fair Skies in connection with Leech Tishman Nelson Hardiman, Inc.'s representation of our interests and those of Vashon Island Fair Skies in connection with the Petition for Review of the FAA's Finding of No Significant Impact and Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport ("SAMP").

We expressly acknowledge that the concurrent representation by Leech Tishman Nelson Hardiman, Inc. of our interests and those of Vashon Island Fair Skies constitutes the representation of potentially conflicting interests, to the extent that our interests and those of Vashon Island Fair Skies are potentially adverse. We nevertheless knowingly and voluntarily consent to such concurrent representation by Leech Tishman Nelson Hardiman, Inc. Further, we knowingly and voluntarily consent to the payment of legal fees to Leech Tishman Nelson Hardiman, Inc. by a person or entity other than ourselves.

We further expressly acknowledge that we have been advised that we have the right to seek independent legal counsel in connection with the advisability of waiving said conflict, and that we have had a reasonable opportunity to do so.

The City of Burien, Washington

Dated: By: _____

The City of Des Moines, Washington

Dated: By: _____

The City of SeaTac, Washington

Dated: By: _____