

**SEA Sustainable Airport Master Plan:
ILA, Budget Amendment, Letters of Engagement
AB 6794**



PRESENTATION OVERVIEW

PURPOSE OF PRESENTATION

On September 26, 2025 the FAA completed their NEPA review (environmental) of the Port of Seattle Sustainable Airport Master Plan (SAMP). Based upon a preliminary review, SeaTac, Burien, Normandy Park, and Des Moines are concerned that the NEPA review fails to adequately consider and document environmental impacts. The NEPA review will likely affect future evaluation of environmental impacts of the airport (i.e. SEPA)

WHY IS THIS ISSUE IMPORTANT?

1. The Port of Seattle SAMP describes intended expansions of the SEA airport to increase the airports capacity for existing flight demand.
2. The FAA is responsible for conducting NEPA environmental review of the SAMP and issued a Finding of No Significant Impact (FONSI).
3. The cities of SeaTac, Burien, Des Moines, and Normandy Park commented on the FAA's draft Environmental Assessment.
4. Comments by the four cities have not been adequately addressed in the FONSI.
5. The four cities anticipate that additional legal counsel will be needed to advocate for the airport communities.



POTENTIAL COUNCIL ACTION

COUNCIL ACTION REQUESTED:

- Approve an amendment to the 2025-2026 Biennial budget Port ILA Fund 105 to reflect up to \$350,000 in expenditures and an estimated \$253,000 in revenues;
- Authorize the City Manager to sign the Interlocal Agreement substantively in the form attached to this Agenda Bill
- Authorize the City Manager to sign letters of engagement with Leech Tishman and Ogden Murphy Wallace

STAFF RECOMMENDATION:

Approve the budget amendment and authorize the City Manager to sign the Interlocal Agreement and letters of engagement

COMMITTEE RECOMMENDATION:

PED recommended approval by the City Council as an action item

REVIEWS TO DATE:

- PED Committee: 11/21/2024, 10/16/2025
- RCM: 12/10/2024, 11/12/2025 (tonight)



FAA NEPA REVIEW: SUSTAINABLE AIRPORT MASTER PLAN

RECORD OF DECISION / FINDING OF NO SIGNIFICANT IMPACT

- FAA issued their Record of Decision (ROD) with a Finding of No Significant Impact (FONSI) on September 26, 2025.
 - The FONSI included a review of all comments received on the draft Environmental Assessment, including comments from SeaTac and the “Four-Cities” joint letter.
- Based up on a preliminary review of the FONSI, it appears that the comments were inadequately addressed.
- Following the completion of the FAA’s NEPA review, the Port of Seattle will complete the SEPA review.
 - The Port may rely on portions of the FAA’s NEPA review to complete their SEPA review.
- NEPA is primarily procedural (evaluate the impact) while SEPA is procedural and substantive (evaluate impact and mitigation)



INTERLOCAL AGREEMENT

OVERVIEW OF TERMS

- Parties: SeaTac, Burien, Des Moines
 - Normandy Park is withdrawing from the Interlocal Agreement
- Interlocal Agreement (ILA) has supported a jointly funded consultant and provides the framework for joint comments on the environmental review
- Update to “Four-City” ILA: Add language supporting joint legal counsel to advise the three cities
 - Costs for the joint legal counsel shared proportionately based on population
 - SeaTac will be reimbursed for expenditures after ROD, before ILA
 - SeaTac will manage the invoices / payment on behalf of jurisdictions
 - An appeal requires unanimous support; continuing the appeal requires majority
 - Any city may withdraw at any time, Normandy Park withdrawn



LETTERS OF ENGAGEMENT

LEECH TISHMAN & OGDEN MURPHY WALLACE

- SeaTac took lead to identify outside legal counsel to support the cities
- Both legal firms (Leech Tishman and Ogden Murphy Wallace) will support, advise, and advocate for the four cities
 - Leech Tishman will be focused primarily on the FAA's NEPA actions
 - Ogden Murphy Wallace will be focused primarily on the Port SEPA action
- Each jurisdiction will sign a letter of engagement with both legal firms to preserve confidentiality
- The letters of engagement contain an hourly rate and are the basis for the proposed budget amendment



BUDGET AMENDMENT

PORT ILA FUND 105

- The proposed budget amendment is based upon initial estimates to engage outside legal counsel
 - The overall time estimates are continuing to be refined as the cities coordinate with outside legal counsel on strategy
- The total estimated expenditure for the cities is \$350,000
 - SeaTac will coordinate the invoicing and payments on behalf of other jurisdictions
- SeaTac reimbursed by others, based on their proportionate population
 - SeaTac currently has 28% of the population – representing a cost of approximately \$96,000
 - Up to \$253,000 in revenues are anticipated



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