



MEMORANDUM

To: SeaTac Airport Advisory Committee
From: Joe Scorcio, City Manager and Mark Johnsen, Senior Assistant City Attorney
Date: April 16, 2018
Re: Airport Noise Regulation Evaluation

Since airport noise is a primary issue affecting the quality of life in the City of SeaTac, questions regarding what the City can do about this problem arise frequently. Additionally, Councilmember Fernald requested that the City determine whether the City has the ability to regulate flight times at the airport in order to help reduce noise, especially at night (CIR# 13-2017).

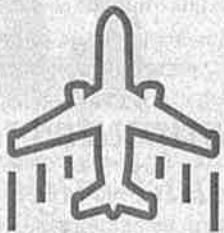
This is a complex issue involving both State and Federal laws and regulations. Although there are some cities outside of Washington State that have been successful at reducing surrounding airport noise, these examples cannot always be copied in order to get a similar result. Below are a few examples that complicate the noise regulation issue.

- Under Washington's Municipal Airport Act (RCW 14.08), the City does not have the ability to regulate airport operations. In short, matters related to airport operations are under exclusive control of the Port of Seattle (POS) as the airport owner, subject to the federal regulation of the Federal Aviation Administration (FAA) and other state and federal laws.
- The Federal government preempts local law regarding airport noise. When the Federal Airport Noise and Capacity Act of 1990 (ANCA) was passed, Congress found that "community noise concerns have led to uncoordinated and inconsistent restrictions on aviation that could impeded the national air transportation system" and thus "noise policy must be carried out at the national level."
- Section 47524(b) of the ANCA sets forth certain procedural requirements with which an airport must comply in order to restrict aircraft, including FAA approval.
- Based on review of case law and other related information, the Courts have been consistent that the owner of the airport is the entity that proceeds under the ANCA to address noise restrictions. Since the City of SeaTac does not own the airport, the City does not have this ability. **However**, this does open up the opportunity to work cooperatively with the POS (staff to staff, and Joint Advisory Committee (JAC)) in approaching the FAA.

We intend to keep working on this issue and will forward updated information to the Airport Advisory Committee and Council.



CITY 101



Plane Spoken

Sea-Tac International Airport, at 2,500 acres, sits on no more than one-third the acreage of many modern airports. It has experienced almost 28 percent user growth over the past three years, yet it cannot appreciably grow its operational area.

Currently, no GMA mandate successfully synthesizes with planning of additional regional airport capacity. This region needs additional regional airport capability immediately along the I-5 corridor; such planning should have occurred closer to 1990 than to today. The State of Washington needs to hold itself accountable to the GMA.

MARK E. HOPPEN, *City Manager, Normandy Park*

PLANNING MULTITOOL

NEARLY THREE DECADES IN, THE GMA IS STILL BEST TAILORED TO LOCAL NEEDS

SINCE ITS INCEPTION in 1990, the Growth Management Act (GMA) has always been under fire, subject to controversy and political pressure. Today, subsequent to economic resurgence, population growth, economic polarization, and an urban housing crisis, the GMA is under more pressure than ever.

As expressed in practice through a number of state statutes, the GMA targets local jurisdiction policy on concentrating urban growth, reducing sprawl, and enhancing regional transportation. The Act also seeks to advance affordable housing, economic development, property rights, permitting, natural resource and open space preservation, recreation enhancement, environmental protection, public process, provision of essential public facilities, and historic preservation. More recently, shoreline management has been added to this formidable list.

At its roots, though, the GMA is about local land use policy and the sufficiency of utilities and services to provide for current and predicted population. In correlation with the GMA, most Washington State cities and counties maintain comprehensive plan elements that include strategic narratives for land use, housing, capital facilities, utilities, parks and recreation, and transportation. Many of these cities and counties also include economic development elements, as well as optional elements such as historical preservation or subarea plans.

Despite extraordinary pressures to provide affordable housing and expand urban growth areas, Washington needs to be careful not to abandon its nearly three decades of commitment to thoughtful development standards, utility concurrency, and reducing sprawl. Experience with the GMA shows, however, that there is no one best way to solve regional and local problems.

■ **General Considerations** After 28 years, GMA tenets face numerous problems that must be reconciled to optimize future public services and the built environment. The Puget Sound Basin and other areas throughout the state are diverse and unique. A base concern is to retain local planning control in favor of regionalism, particularly as it relates to land use, housing, and economic development. Nevertheless, regional standards will continue to be an important feature of planning and development, particularly in the Puget Sound Basin.

Pressure to increase buildable land inventories, by increasing housing market factors that enable a greater number of housing units per estimated population targets, need to be weighed against costs of utility infrastructure, integrity of environmental assets, sufficiency of municipal services, and capacity for development and redevelopment. Minimum net zoning densities should be tailored to the densities of established neighborhoods, although sufficient minimum densities within job centers should be a normative requirement.

- The B-Town (Burien) Blog - <http://b-townblog.com> -

UPDATE: Quiet Skies Coalition gets update from City on airplanes over Burien

Posted By *Scott Schaefer* On April 16, 2018 @ 12:25 pm In Burien News,Headlines,Politics | [Comments Disabled](#)

The Quiet Skies Coalition met with Burien City Manager Brian Wilson and City Attorney Lisa Marshall Monday morning (April 16) for an update on the Federal Aviation Administration's decisions regarding airplanes over Burien.

The FAA announced they would be issuing a Categorical Exclusion (CATEX), reinstating turns over Burien. CATEX effectively means that the FAA is "not required to follow its own rules," which in this case means that airplanes will continue to turn west over Burien.

The City Council will be briefed on the issue at Monday night's meeting.

"Based on the fact that the City and the Quiet Skies Coalition are working closely and appear focused on the same objectives, we believe it is not necessary for all to turn out tonight (however, you are welcome to do so if you want to get first-hand information)," organizers said.

"We will keep you advised of any significant developments, including any action taken by the Council tonight."

COMMUNITY MEEING APRIL 24

Please plan on attending the [Quiet Skies Community Meeting](#) ^[1] from 6:30 – 8:30 p.m. on Tuesday April 24 at Gregory Heights Elementary School.

"We will provide a more detailed description of the FAA's CATEX."

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