

**MEDIATED ROLE DETERMINATION PANEL
SNOHOMISH COUNTY ADMINISTRATION BUILDING EAST
FIRST FLOOR MEETING ROOM #1
NOVEMBER 30, 2006**

MEETING MINUTES

MRD PANEL ATTENDEES

A. J. Chase	Deanna Dawson	Don Doran	Tom Gaffney
Tom Hoban	Lori Kaiser	Kevin Laverty	Michelle Robles
John Shaw	Ray Stephanson	Hugh Townsend	Mark Wolken
Stephan Clifton (alt)			

TECHNICAL ADVISERS ATTENDEES

Russ Keyes	John Sibold	Rich White
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SNOHOMISH COUNTY STAFF ATTENDEES

Peter Camp	Dave Waggoner	Bill Dolan
Kerri Bailiff	Nona Anderson	

Don Doran opened the meeting at 2:30.

Public Comments

Greg Hauth, Vice President of Save Our Communities, spoke for several minutes. He compared the Mediated Role Determination (MRD) with the Declaration of Independence which he described as the policy document leading up to the Constitution of the United States of America. He described the MRD as a social contract between the County and the communities surrounding the airport. He stated that the Airport if fully utilized now with Boeing and Goodrich, and that any expansion would create big liabilities. The social contract was signed and sealed when the roads and infrastructure were put in place relying on the MRD document. Calling the MRD document irrelevant is calling the neighboring communities irrelevant.

Kevin Stoltz, Mukilteo City Councilman, noted his approval of the meeting where legal counsel presented its opinion, but said he was bewildered at the last meeting when some panel members called the MRD irrelevant. He said the federal law and the MRD actually work together noting the MRD policy restricting cargo and nighttime operations works now, but would be difficult to regulate without the MRD. The one issue he felt that is very clear is that the document limits scheduled air service operations. He also noted the specific provision in the MRD about accommodating the Paine Field Air Show and said that staff actually discourages actions to renew that annual event.

Peter Camp passed out a lengthy working paper titled "Proposed Updates to MRD Document". He noted the first two sections of the paper had the 1978 Role and 1979 Mediation Panels recommendations printed with the "track changes" showing embedded changes proposed by Russ Keyes, Lori Kaiser, Michelle Robles, and Gary Hakkenson. In addition to the underscores, strike throughs and addition / alternatives gray box areas the paper also included their proposals verbatim. Included in this section were headings, grammatical and tense revisions suggested by Peter Camp to improve the readability of the document. Also included in separate sections were verbatim proposals from Don Doran, Hugh Townsend and John Shaw. The paper had line numbers listed to facilitate the MRD panels review.

The Panel then began a page by page review of the paper focusing on the highlighted proposed revisions and Mr. Camp made notes to reflect the discussion in a "final" edit of document planned for distribution at the MRD Panel final meeting on December 14th. He encouraged panel members to speak up and if they had additional input following the meeting to please submit it to him via email soon so it could be included.

On Page 4 line 10 the suggestion from Mr. Hakkenson to define "light aircraft" and "general aviation" sparked a discussion of various interpretations that may have changed over time. John Sibold stated that in going through this document, there couldn't be found consistent terms for general aviation, air taxi, commuter, light aircraft, and that he could not find a real definition for these terms. Some terms are interchangeable. Bill Dolan noted that a personal use 747 would be classified "general aviation". Mr. Sibold went on to say that there are aircraft categories defined by weight, or wingspan, there are aircraft operator categories defined by purpose which are subject to different federal operating regulations. Definitions do change from time to time, in part responding to the introduction of new aircraft. General aviation can be all types of aircraft so defining it in this document may require some work. Mr. Camp suggested working with staff and WSDOT to come up with language for a glossary of terms.

The discussion then moved to line 32. Ms. Kaiser suggested that in addition to her proposed additions regarding GMA and local Comp plans there should be a "whereas" regarding ANCA.

Mr. Camp went on to page five noting Mr. Keyes suggestion that the "crosswind runway" section be deleted as the new runway (16L-34R) was built in the mid 1980's parallel to the main runway. On page six lines 26-33 Ms Robles suggested including an index of related documents attached and definitions of these broad terms.

Ms. Kaiser would like terminology that would put more impact on the wording. While knowing that words including financial impact are not allowed, perhaps adding a preamble would add meat and purpose to the document.

Mr. Camp said he added a "General Aviation" header to page seven and cleaned up the next paragraph.

On page 7 line 48 the suggestion by Mr. Hakkenson to add a “non-scheduled” limiter on the terms air taxi and commuter service initiated a discussion on definitions. Mr. Keyes stated that to add or delete language changing the role is not what the panel has been asked to do. He said the panel has been asked to review the existing document and make the document more readable, not more acceptable to one group or the other.

Ms. Kaiser would like the FAA’s definitions for commuter aircraft rather than debating the subject. Mr. Keyes stated that the Paine Field Community Plan does define it. Ms Kaiser suggested that the definition has changed over the years. Some documents define it as nine passenger, some 30 to 50 passenger. The panel should know what the official FAA definition is.

Kevin Laverty suggested a rewrite of page eight so that it is more readable regarding use of the facility in accordance with the growth management act.

On Page 8 Mr. Camp suggested that due to the potential for further revisions to the airports noise abatement procedures that the section might simply acknowledge that the airport has a vigorous noise abatement program. The alternative suggested by Ms. Robles in lines 16-26 would have airport noise abatement procedures reviewed in each Master Plan Update to ensure they are consistent with any new federal regulations. Staff was asked if Master Plan updates review the noise abatement procedures.

Mr. Dolan explained that the aviation forecast of the Airport Master Plan is what drives a Federal Air Regulation (FAR) Part 150 Noise Study which has 2 components – Noise Exposure Maps (NEM’s) and a Noise Compatibility Plan (NCP). The airports noise abatement procedures are a component of the NCP. A complete FAR Part 150 Noise Study was done in conjunction with the 1995 Airport Master Plan update. In the 2002 Airport Master Plan Update, the NEM portion of the Part 150 was updated. Part 150 studies are not mandated by the FAA but are recommended for airports with jet operations where 65 DNL noise impacts extend into noise sensitive areas. As even 60DNL noise impacts projected based on future levels of Paine Field flight operations do not extend into noise sensitive areas the FAA is reluctant to fund a full Part 150 study. Mr. Dolan explained that in a Part 150 study the various noise abatement and land use alternatives are evaluated based on the number of sensitive uses within the 65DNL area. FAA can help implement noise abatement procedures and can help fund projects identified in an adopted FAR Part 150 NCP that reduce the number of 65DNL impacted residences. He said local communities can adopt levels below 65DNL for purposes of local land use restrictions to improve compatibility with airport operations. He said that guidelines indicate that when 65 DNL contours increase by more than 1.5DNL over noise sensitive uses the Part 150 study should be updated.

Mr. Camp summarized the discussion by saying the noise abatement procedures should be reviewed if there is a substantial change from forecast operations.

On page nine line 3 Ms. Kaiser requested that NEF be converted to DNL.

On page nine line 51, Mr. Camp noted that the addition of “scheduled passenger service” to the discouraged activity portion of the conclusion section suggested by Mr. Hakkenson would conflict with the roles encouragement of “commuter service” on Page 7 line 43. Mr. Wolken said that would be a conflict with the document and noted that scheduled air service is the root issue of disagreement in the way the MRD has been presented by various parties in the past. Ms. Kaiser said all the discouraged uses should be listed here. Mr. Gaffney said it should be noise that is discouraged, but Ms. Kaiser stated that it is not just about noise. It is about environmental impact. Mr. Clifton suggested taking out lines 41-44 on page seven to make it consistent.

Ms. Kaiser asked for clarification about the references in the MRD to the Airport Commission, Paine Field Steering Committee, and Community Council. Mr. Dolan responded that the Airport Commission was an advisory board to the Board of County Commissioners (and after the County Charter was adopted in 1980 the Snohomish County Council and Snohomish County Executive) directing the operation of the Airport. The Airport Commission was disbanded in 1992. The Paine Field Steering Committee was the group of interested parties who worked with airport staff and consultants in developing the 1980 Airport Master Plan (he noted that in addition to the steering committee there was a separate group of technical advisors), and the Paine Field Community Council is the advisory body that was formed following the MRD in 1979 and continues to meet 3 times a year addressing noise and airport planning and development issues. Ms Kaiser asked who appoints the Community Council members. Mr. Dolan responded that the County Council appoints the 10 voting and 10 alternate members on the Community Council and the ex-officio agency representatives are appointed by the respective agencies.

The panel then discussed the recommendations made by John Shaw and Hugh Townsend to have the panels final resolution acknowledge the MRD as a historical statement of Paine Fields role in Snohomish County, but not ratify or revise it and have the County in the future rely on County Airport Master Plan and Comprehensive Planning processes to determine the future land use and operational issues involving Paine Field. Mr. Wolken stated he agreed with that approach. Mr. Clifton said the City of Edmonds could not support such an approach as incremental revisions to the Master Plan and Comp Plan could cumulatively result in significant revision to the policy stated in the MRD.

Mr. Sibold suggested that whatever the MRD document becomes, the preferred role should be included in the Master Plan as that is the document the aviation community looks to when trying to understand the airport. There needs to be consistency between the two. As it is now some representations made about the MRD are not specifically consistent with the Airport Master Plan. Mr. Dolan clarified that the Airport Master Plan includes forecasts of 4 scenarios of scheduled air service with the “National High” scenario being essentially an unconstrained forecast. The County Council adopted the “Regional Low” scenario forecast which includes flights of air carriers serving passengers within 30 minute drive of the airport going to destinations within 500 miles as the scenario most consistent with the MRD’s encourage commuter policy.

Ms Robles stated that whether we keep the MRD or throw it out it does not change County policy. It should be the County Council’s decision whether the MRD is outdated

or not. She stated that the Master Plan includes references to the MRD and reminded panel members that we must be very careful that any decisions made by this panel now be consistent and be sure that it will not cause problems for Boeing or Goodrich twenty years down the road. Ms. Robles said the panel should leave the MRD as is, but clean it up so the average person can understand it.

Mr. Stephanson stated that the Airport Master Plan and County Comprehensive Plan came after the MRD and that those are the documents which over time the County Council will periodically review and adopt revisions to as necessary to reflect the needs of the county. Those documents will determine how the airport should operate and what its policy is. As such the MRD document is redundant.

Ms. Kaiser stated that the Master Plan was developed for a different purpose than the MRD. The Master Plan is developed to acquire funds from the FAA and the MRD is the policy document. It should not be discarded. It is used frequently (although not updated frequently) and when the next Master Plan is developed it needs to be in place to add clarity. Airports around the country use this type document to get more understanding between the surrounding communities. It is the "Guiding Light".

Referencing the press release at the time the MRD panel was formed Mr. Woken noted that the desire in is to add clarity to County's policy on Paine Field as there have been representations that the MRD says things that can not be found in the actual documents. He stated that it seems redundant to have the County Council adopt document A, and then two other documents on the same subject. For the sake of clarity we need to "distill this into as few documents as possible."

Ms. Kaiser said she looks forward to seeing the new document to be presented on the 14th with revisions and a glossary.

Mr. Doran opened the meeting for Public Comments.

Mr. Hauth stated that ANCA says the airport cannot discriminate once air service has started and that service can grow without bounds. He also said that DNL is only a 24 hour average it is a "money line" determining where FAA funding participation in noise mitigation can occur. He encouraged the panel to accept Mr. Doran's proposal to revise the MRD.

Greg Tisdale, described himself as an Everett resident and Snohomish County taxpayer who believes it is unfair to County taxpayers to not allow them the benefits of using commercial air service at Paine Field. He said the facility is not now at its best utilization. He told the panel that the MRD is not a "sacred document". Policies can and do change to reflect the needs of the general public. He said air service at Paine Field could help solve traffic problems and associated air pollution from so many people traveling to Sea Tac.

Barbara Ward, a member of SOC said she is appalled with the idea of the notion that the panel called upon to review the document might decide to throw it out. She said the MRD is a promise to the people that we have built our community on and the County should honor it. She said a deal is a deal.

Jim Sheldon then addressed the panel. He noted that he was surprised that the airport staff had not provided the panel the terms negotiated between the Airport Commission and San Juan Airlines in 1987 when San Juan operated their 15 passenger Beechcraft C99 turboprop aircraft between Paine Field and Portland. That lease restricted the aircraft size to 30 seats. He said that not providing this information to the panel was deceptive and the use of a 50 seat definition for commuter is bogus in light of other definitions in federal air regulations.

The meeting concluded at 430pm.