

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

**MEETING MINUTES**

**MRD PANEL ATTENDEES**

Don Doran	Tom Gaffney	Michelle Robles	Mark Wolken
Gary Hakkenson	Tom Hoban	John Shaw	Kevin Lavery
A.J. Chase	Lori Kaiser	Hugh Townsend	Rich White

**TECHNICAL ADVISERS ATTENDEES**

Stephen Kiehl	Russ Keyes	John Sibold
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**SNOHOMISH COUNTY STAFF ATTENDEES**

Peter Camp	Bill Dolan	Cindy Ringstad	Donna Ambrose
Dave Waggoner	Mary Lynn Evans	Nona Anderson	Geoff Nelson

**PRESENTERS**

Greg Hauth	Hans Toorens
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Co-Chair Don Doran opened the meeting at 2:32.  
Pat McClain was in attendance in Mayor Stephanson's absence.

John Shaw moved to approve the minutes of May 4.  
Tom Hoban seconded the motion, and the vote was unanimous for approval.

Peter Camp stated that the purpose of the Panel is not to decide the future of Paine Field but to review and recommend updates to the Mediated Role Determination (MRD) Panel.

Don Doran opened up the meeting for public comments.

Charlie Panczewski noted that the presentations given by both the Save Our Communities (SOC) and Private Enterprise Coalition (PEC) speakers at the May 18<sup>th</sup> meeting talked about the "quality of life" being their goal. He asked, "What does that mean?" and noted that billions of dollars have been spent on development near the airport under the current MRD. He said the MRD has worked well for both the economy and growth and the Panel should not change the intent of the document. He noted that infrastructure can't keep up with growth as it is and asked why development should be

accelerated? He also wondered asked if we would even have employees to fill these jobs the proponents are trying to attract.

John Quast, a resident of Edmonds and president of Meadowdale Community Club, said he thinks the Panel has lost its way and appears to be reluctant to address the issues of reviewing the MRD. He said that hiring a consultant at this time is without merit. He said that proximity to an airport is a lower criterion for siting hi tech industry than having a four year college. Mr. Doran noted that there are meetings underway now to address the potential for siting a new four year state college in the north part of Puget Sound and encouraged interested parties to follow and participate in those discussions.

Andy Freem, a south County resident, said the Panel should look at what has occurred since 1979. He said there are more homes and noise is less, but if you are in the flight path even stage three 747 and 767s airplanes are still not quiet. He said Sea-Tac's third runway has added capacity for an extra twenty to twenty-five years. He urged the Panel to consider changes in the MRD to make it more relevant.

Diane Ryder, an Everett resident, echoed earlier comments and encouraged the Panel to focus on the purpose of reviewing and updating the MRD.

Mr. Doran then moved the discussion to the process for conveying the Panel's questions to the SOC and PEC presenters. After discussion, the group agreed there would be thirty minutes for Panel members to provide questions and receive answers from Mr. Hauth from SOC and Mr. Toorens from PEC. The presenters would be able to supplement their verbal answers with written answers to be submitted to Mr. Camp prior to the next meeting. If there are any additional questions members develop after the meeting they should also be submitted to Mr. Camp for distribution to the presenters.

During this discussion Michelle Robles suggested that whatever document proposed by the Panel be clearly identified with the date 2006 on it.

Russ Keyes asked Mr. Hauth about the SOC statement, "A deal's a deal," and asked which documents SOC considers to be included in "the deal"? He asked specifically if the SOC considers the orange covered Paine Field Community Plan ("Community Plan") which had been provided to the Panel to be part of "the deal"? Mr. Hauth responded that SOC considers the 1978 Role and 1979 mediation panels' recommendations to be the "deal". He noted that there is no counterparty signature to the "deal" so it is not legally binding, but SOC feels it is morally binding. He said he would check into Community Plan question and then added that the subsequent Growth Management Act (GMA) comprehensive planning actions described by his presentation as a cascading hierarchy were also part of "the deal".

Mr. Keyes then asked him how SOC feels about the 1979 mediation panels' recommendations, which include encouraging commuter service (defined by he Community Plan's as aircraft carrying up to fifty passengers)? Mr. Hauth responded that SOC views the recommendation to encourage commuter service as a flaw in the

document because once any carrier is allowed; the County will be unable to preclude them from expanding.

Michelle Robles stated that the MRD appears to have worked for the past twenty-eight years and noted one of the findings in the Role was that the general aviation role was a good balance of economic growth with the least environmental impact. She then asked Hans Toorens what the PEC sees has changed such that the general aviation role should be modified?

Mr. Toorans replied that ground vehicle access from Snohomish County to Sea Tac has deteriorated during those years to the point where trips now take as much as three hours from Monroe. He said convenient access to air travel is crucial and that there are also now looming capacity problems at Sea Tac. Ms. Robles then said that traffic is already gridlocked in Snohomish County and asked how the roads could handle additional airport traffic?

Garnet Hizzey from PEC noted that the 1990 Boeing 777 expansion required traffic mitigation of upgrading roads near the airport to accommodate thirty-three thousand workers. He said there are nowhere near that many employees now or likely ever due to improved efficiencies at Boeing and said that the roads have plenty of capacity with the exception of the times around the Boeing shift changes.

Tom Gaffney asked, "What the Panel can legally do and not do? Can we prevent an airline from using the Airport?" He asked about the circumstances of Ed Level's legal opinion included in the PEC presentation. He noted that those in the legal community who know Mr. Level consider him a brilliant legal scholar. Mr. Camp said he would research the circumstances around the Ed Level opinion and would get that information back to the Panel.

A. J. Chase asked what circumstances would have to change in order for SOC to allow commercial air service at Paine? Mr. Hauth responded that he could not see a way, short of a time machine that would take us back to 1978 so any development could have been avoided that relied on "the deal". He said the costs of removing those developments now would be prohibitive. He said SOC would support the siting study now underway at the state but SOC wants the problems documented as well as the alternatives.

Don Doran asked John Sibold to give an update on Washington Long-term Air Transportation Study (LATS). Mr. Sibold explained that LATS is a three phase study with the first phase now underway in an inventory data gathering effort. The second phase, which begins next year, will look at demand forecasts and needs of the whole state, focusing on Spokane, Tri-Cities, southwest Washington, and Puget Sound. The third phase (expected to run from mid 2007 until mid 2009) will have a Governor appointed planning council to make recommendations on future statewide aviation needs. The goal is to identify solutions using hard facts and real numbers. Mr. Doran asked if this will be an unrestricted look, not bound by prior decisions, and who will make the ultimate decision? Mr. Sibold noted it would not be restricted by prior actions, but the

planning council will understand the prior actions. The Governor will take the final action on the recommendations.

Ms. Robles asked PEC to identify specific companies that chose not to locate in Snohomish County and Kevin Laverty asked if a comparison could be made with north Pierce County, which is closer to SeaTac? Mr. Hoban described “lost opportunities” normally as potential clients choosing Kent or Renton over Snohomish County. He provided two examples of how inefficient access impacts business in Snohomish County. He described how meetings with Maritime Trust, the Chicago firm developing the Everett waterfront, initially occurred in Everett but now occur in Sea Tac to avoid traffic delays. He explained that the CEO of a primate research firm who considered living in Edmonds and operating his business in Everett ultimately choose to locate in south King County because of better access to Sea Tac.

Mr. Hauth stated that everyone cannot not be pleased. The MRD has been successful in attracting and retaining core businesses like Boeing and Goodrich and other aerospace businesses while balancing quality of life for the developing surrounding communities and asked, “Why mess with success?” SOC asks, “What’s the benefit of taking that apart?”

Mark Wolken asked how commuter service would be a problem if the MRD clearly already allows it? Mr. Hauth responded that the County would not be able to discriminate among types of aircraft. SOC wants to amend the clause to say “strongly discourage”. He noted that the County can strongly discourage activities, but not prohibit them and remain compliant with the federal regulations. Encouraging or discouraging activities is not an FAA decision, but a County decision.

Mr. Doran noted that the Q&A period had now extended ten minutes beyond the thirty minute goal, so he asked any members with further questions to forward them to Mr. Camp for the presenters to answer in writing. He then moved on to the next agenda item - a roundtable discussion to determine how the MRD Review Panel would actually approach the review of the documents. Mr. Camp noted the Panel should probably avoid a word by word group review editing effort in the interest of achieving some conclusion in a reasonable time. He asked Donna Ambrose to describe an approach she had proposed which might efficiently move the Panel through its task. Ms Ambrose passed out a sample sheet showing how the Panel could identify issues associated with the role, identify areas of agreement and areas of disagreement for each issue, and identify work items necessary for those disagreement areas so the same ground wouldn’t be plowed more than once.

Mr. Keyes stated that he had already made an effort to combine the 1978 and 1979 documents in a word file. Lori Kaiser said such a combined document would be a better working platform than the photocopied versions containing the handwritten notes and scratch outs that had been initially provided to the Panel. Mr. Camp agreed to review Mr. Keyes’ file for accuracy and then circulate it to the Panel next week. Ms Kaiser requested that the accuracy review be done at the executive office level.

Tom Gaffney suggested the Panel move ahead because there will never be enough information. What are we going to do next?

Mr. Doran commented that what comes out of the MRD review Panel will be a recommendation to the County Executive. It is possible there will not be a unanimous position and there may even be a minority report or reports.

Mr. Camp then asked if any Panel members had specific portions of the MRD they would like to discuss as they start diving into the document.

Ms. Robles noted that the Community Assistance program listed in A-5 #5 of the MRD document should be discussed, noting the projections for future airport noise show no homes in areas above 65DNL and the purchase assistance and insulation programs listed would only apply to homes in areas above that level.

Ms Kaiser stated that on the premise that we can discourage activities and recognition that the MRD document relates to GMA planning, she thinks the following issues in the document need the Panel's attention: ensure compliance; noise reduction as a goal; overarching goals; specific terms; intent; professional mediation of "any airport change"; 60 DNL noise limit as standard; citizen advisory Panel, including whether this is or should be the same as the Paine Field Community Council and whether it's members should be appointed by City Councils; encouragement of general aviation; financial discrimination; and consistency and definition of terms, such as scheduled vs. supplemental/charter. She suggested the end product not include "/" combinations of words and should include a clear glossary of terms and categories. She said the Panel needs to understand and state the ways activities should be "encouraged" and "discouraged"

Mr. Shaw said that additional issues should include economic impacts, safety record, any responsibility of the County to the region with respect to the asset of Paine Field, health impacts and legal parameters/impacts (what can we accomplish with what we do?)

Ms Kaiser suggested the policy could become legally binding by adoption of an interlocal agreement. Mr. Wolken said the Airport is not allowed to discriminate.

Mr. Wolken and Mr. Gaffney then said the Panel will need to discuss and understand the opportunities to limit activities that would be legal. What are we legally, reasonably allowed to do?

Mr. Gaffney noted the end product should have a provision for periodic review.

Ms Robles said the Panel will need to understand the impacts on general aviation or Boeing would occur with various levels of commercial service and reiterated the value of a good glossary of terms used. Mr. Keyes said that the Master Plan addresses the capacity and forecast issues and noted the County Council's 2001 adoption of the

Regional Low scenario forecast for the master plan stated it was the scenario most consistent with the adopted 1978/9 mediated role determination.

Mr. Camp noted that the County's adoption of the Regional Low forecast was a planning effort required to obtain FAA grants, not a goal set by the County. He then asked Panel members to get any additional questions in by email by the end of the week so he could get them to the presenters.

Meeting adjourned at 4:25