

## Questions for Presenters:

### ***FOR SOC***

**Note:** These answers have been prepared by Save Our Communities (SOC), a non-profit group dedicated to preserving the “Quality of Life” in our community by opposing scheduled commercial passenger service at Paine Field.

- 1. The SOC presentation suggests that if commercial airlines start using Paine Field home values will decline 10% leading to a reduction in public revenues.**
  - **The cost of school impacts could be substantial. \$200 million is quoted in school noise control costs in the Highline School District**
  - **Commercial strip blight could occur**
  - **There may be associated health impacts to people affected by aircraft noise**

**But, we also heard a comment attributed to Dave Waggoner that there is no data showing home values will drop. Is it safe to say the representations made were based on the SeaTac experience? If that is true then how can we determine what level of concern, if any, we should have for our situation here in Snohomish County? (Mayor Ray Stephanson)**

SOC’s Answer to Question #1: A great deal of data exists about the effects of airports on home values. SOC provided some evidence of this in Tab 12 of our Briefing Book in a study called “the Impact of Airports on Home Values.” The study states “For two moderately priced “paired” neighborhoods north of LAX (Los Angeles Airport), the study found “an average 18.6% higher property value in the quiet neighborhood, or 1.33% per dB of additional quiet.”

SOC has found other studies, including areas surrounding Sea-Tac, (see Tab 16 of SOC’s Briefing Book). The 1997 Sea Tac study says: “Average assessed value of land was 14.1% higher in Northwest King County than it was in areas immediately surrounding the Airport, and assessed value of structures was 7.7% higher. The assessed value of land and structured combined was 10.1% higher.”

Studies found by SOC show a 10% to 25% decrease of home property values. To be conservative, SOC always chose the lowest figure (10%) for its assumptions.

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We are not sure how Mr. Waggoner can support his statement that there are no data showing home values would drop, and we are interested in hearing further from him on this item.

Based on these data, we should have a very high level of concern because other communities have gone through the home devaluation experience and suffered greatly in other aspects of their community's quality of life, due to close proximity to large airports. SOC research indicates a number of home valuation factors that should be fully considered. These include but are not limited to impacts on schools, health, home ownership to rental ratios, tax base, changes in demand for government services (and the associated costs), noise impacts, health concerns and an undesirable development and job mix. The quality of life in our communities and neighborhoods is a key driver in the valuation of our homes.

**2. The Private Enterprise Coalition and Save Our Communities differed on FAA's authority to limit sponsor control of airport use. I ask that this point be clarified.**

SOC's Answer to Question #2

While Snohomish County controls the role of Paine Field via county policy, the FAA has leverage on the County via the grant assurances agreed to by the County when they acquired the airport as well as when they accepted past FAA grants for certain airport improvements. One of those grant assurances states that the airport sponsor (the County) may not discriminate among types of users. However, if the County was to ignore one or more of the grant assurances, and a complaint was filed with the FAA, only then would the FAA take action against the County. The FAA action could be to suspend the County's eligibility to accept any further FAA funding until the situation was rectified. After rectifying the situation, the FAA may reinstate the County's eligibility for airport funding. However, funding would not be retroactive with respect to the period of non-compliance.

Therefore, the FAA does not limit or control the County or Paine Field—the airport sponsor, which is the County, controls the role of Paine Field. The County's policy about Paine Field's role is stated in the MRD.

The FAA confirms this position in a letter to SOC dated December 12, 2005, (in the MRD Briefing Book) when the FAA said:

“While the FAA provides expertise and guidance on growth planning, and compliance with grant assurances to airport sponsors, we do not force an airport to change its role from general aviation to commercial air passenger or air cargo.” (emphasis added.)

The FAA influences behavior via federal funding and grant assurances. In that same letter, the FAA goes on to say:

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“In order to receive Federal grant funds, an airport sponsor must agree to make the airport available as an airport for public use, on fair and reasonable terms, and without unjust discrimination, to all types, kinds, and classes of aeronautical activities.”

3. **We looked up the Naples Airport challenge on the FAA web site. The FAA Order says they will prohibit future funding requests. Is that the end of the story? We stop certain uses or airplanes against FAA and rules and they cut off future funding? Prohibiting aircraft sounds like a last resort step and I hope we won't feel the need to go there. (Mayor Ray Stephanson)**

SOC's Answer to Question #3

The issue in the Naples Airport Authority case was whether the Authority could legally enforce their self-imposed ban on Stage 2 jets weighing less than 75,000 lbs. The Authority took that action based on the Authority's extensive record-keeping that pointed out that 75-80% of their noise complaints were caused by 0.5% of their flights (the ones they decided to ban). The operators of the banned aircraft filed a complaint with the FAA, and legal action ensued. While the issue wound its way through the FAA and the courts, the FAA withheld all airport improvement funding to the Authority. Eventually, the case was decided in the Authority's favor only because the Authority had a clear cut case, had been very meticulous in their record-keeping, and had followed the required FAA processes to the letter.

The MRD calls for restrictions on certain aircraft and aircraft operations that the FAA might now deem to be “discriminatory.” The MRD has specific controls, as follows:

3. Airport Operations Controls
  - B. Aircraft operating restrictions should be put into effect at Paine Field, including limits on operating hours of certain types of aircraft. (emphasis added.)
  - C. Engine maintenance and testing run up operations on airport property should be strictly regulated to conform to applicable state noise regulation requirements. A strict nighttime curfew should be reviewed and updated on a regular basis. (emphasis added.)
  - E. The County should negotiate binding agreements with the airlines conducting training flights at Paine Field which will limit their operations to existing levels. Night training flights should be prohibited. (emphasis added.)

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If the County enforces these provisions, it may run afoul of the grant assurance clauses or the FAA regulations. This does not mean the County cannot do this, because the role of the airport remains within the County's control. However, imposing restrictions that may be deemed "discriminatory" could result in the loss of federal funding (about \$2 million per year, on average.) On the other hand, allowing air passenger service into Paine Field, **on an unrestricted basis**, could impose far higher costs to the community. SOC estimates such costs could exceed \$1 billion for social, economic, environmental, health and infrastructure costs.

SOC therefore recommends that the County maintain and reinforce the provisions of the MRD that do not "prohibit" certain operations (and therefore cannot be deemed discriminatory.) SOC calls for non-discriminatory provisions that continue to "strongly discourage" scheduled air passenger and air cargo service for all carriers. The term "strongly discourage," coupled with economic provisions for air carriers to pay all direct and indirect costs associated with their presence at Paine Field, would provide an effective means, in SOC's opinion, to limit air passenger and air cargo service while remaining compliant with FAA regulations.

- 4. From the SOC presentation, I would like the documentation that shows property values around an airport decrease as the airport grows, or that property values decrease after an airport is sited in a given area. Also there seems to be an understanding that the MRD discourages any commercial flights, however there is language that states commercial/charter airflights will be encouraged. I would like a clarification of SOC's position on that language. (Michelle Robles)**

SOC's Answer to Question #4

For the first part of the question, please see SOC's Answer to Question #1. Regarding the second part of the question, among other things, the MRD encourages "...air taxi and commuter service." *Air taxi* is on-demand (charter) non-scheduled service. On the other hand, *commuter service* is the lowest level of commercial scheduled passenger service. At the time of the MRD, the FAA's Federal Aviation Regulations limited the size of aircraft *operated* by a commuter airline to 30 passengers. Thus, any scheduled commercial passenger service using aircraft with more than 30 seats has not been allowed under the MRD.

Specifically, the MRD States:

"In conclusion, we present our findings, which expressly support the selection of the new redefined General Aviation role:

1. The General Aviation role will permit reasonable airport expansion to continue at Paine Field

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2. The General Aviation role will impose a minimum amount of adverse environmental impact on the Paine Field area community.
3. The General Aviation role will cause the least disruption to existing land use patterns around Paine Field.
4. The General Aviation role will provide the best opportunity to both preserve and expand the existing airport industrial park.
5. The General Aviation role will provide the greatest economic benefits to the County with the least economic and environmental costs.
6. The General Aviation role will best serve the future needs of light aircraft general aviation, the principal aeronautical activity at Paine Field.
7. The General Aviation role will ensure that light aircraft general aviation will remain the dominant aeronautical activity at Paine Field for the foreseeable future.
8. The General Aviation role will limit the expansion of aviation activities at Paine Field which are least compatible with its dominant aviation role and which would impose the most severe adverse environmental impacts on the surrounding community.
9. The General Aviation role will provide the County with the best opportunity to successfully implement an aggressive, long-term noise abatement program at Paine Field.
10. The General Aviation role will protect the rights of the Boeing Company to use the airport facilities at Paine Field as outlined in their long-term contract with Snohomish County.

[The MRD further states:]

Other aviation activities which would be encouraged to continue operation and expansion at Paine Field include: aircraft related industries, business and corporate aviation, public service aviation and air taxi service. Reasonable expansion of these activities would be permitted.

Existing aviation activities at Paine Field which would be strongly discouraged from expanding because of their inconsistency with the airport's primary aviation role, as well as their unavoidable adverse impact on the surrounding community, include supplemental/charter air passenger service, large transport crew training, air cargo aviation, and military aviation.

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Since the passage of ANCA and further review of FAA regulations, the MRD's policy to encourage some types of passenger air service while restricting others may be deemed "discriminatory" by the FAA.

In view of FAA regulations, SOC believes the County could choose either of 2 paths:

First, the County could reaffirm the MRD with the "discriminatory" restrictions currently stated (see MRD restrictions recited in Question 3.) Should an air carrier wish to come to Paine Field and be faced with those restrictions, the carrier could complain to the FAA, which would start the process for determination of discrimination and potential future loss of federal funds from the FAA. The County could then continue to enforce the MRD's provisions but be deemed "non-compliant." It's a cost-benefit decision to the County: forfeit \$2 million/year of federal funding to preserve \$1 billion (estimated) of potential liabilities to the community, in addition to other social, health, and environmental impacts?

Second, the County could remove specific restrictions that may be deemed "discriminatory" by the FAA by staying within the MRD's policy guidelines of "strongly discourage." The County could impose broad based economic directives on all air carriers, on a non-discriminatory basis, such that the carriers would properly pay for all direct and indirect economic and social costs imposed on the broader community by their presence. This path, if followed properly, would leave Paine Field compliant both with ANCA and the MRD.

5. **If the purpose of the MRD panel is to review and update the MRD documents, then how is it that the County can discriminate any uses at Paine Field? My interpretation of the MRD documents lines up with Ed Level's legal opinion that the County (the owner and operator of the airport asset) may not discriminate uses. If my understanding is accurate, then the MRD panel would simply render a recommendation that the County may not discriminate uses and the panel's work would be complete. Please comment. (Tom Hoban)**

SOC's Answer to Question #5

The MRD cannot discriminate among types of users by *prohibiting* certain ones, but it can state the County's policy regarding the types of uses that the County would like to *discourage* or *encourage*. As we understand the situation, Mr. Level's opinion was stated many years ago in what was essentially a minority position paper on his departure from office. His opinion of the MRD wording was that the County should not even use the term *discourage* because he felt that doing so violated the spirit of the FAA grant assurances. However, SOC has no other legal opinion to support this finding. Indeed, SOC's own review of the MRD suggests that the County has every right to "strongly discourage" certain activities at Paine Field to maintain the General Aviation Role. Such efforts

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further comply with the State's Growth Management Act, and are entirely consistent with the Comprehensive Planning documents of the Puget Sound Regional Council, the Snohomish County Council, and the Mukilteo City Council, and with the Paine Field Airport Master Plan.

6. **A comment to my friends with SOC: That politicians or others have made "promises" in the past to constituents is interesting and concerning to me. But the basis of those promises is hard for me to find within the MRD documents. The MRD documents in fact support non-discrimination of uses. The Ed Level opinion is helpful in understanding this. If I am missing something, please point me to it. (Tom Hoban)**

SOC's Answer to Question #6: The MRD is both general and specific regarding its promises. The general promises of the MRD are quoted below:

Failure to reduce the adverse impacts of airport operations on the community and control negative residential growth impact on aircraft activities will result in unnecessary social, environmental and economic hardship for the community, while jeopardizing legally and financially the County's substantial investment in airport facilities at Paine Field.

The needs and interests of the municipalities surrounding Paine Field, including Everett, Mukilteo, Lynnwood and Edmonds, must be given full consideration by the County in determining the future use of this facility.

A wide assortment of noise abatement measures are available which can and should be effectively used at Paine Field to substantially reduce the adverse impact of present and future aircraft noise on the surrounding community.

Citizen confidence in the commitment of the Airport staff, Airport Commission, and elected County officials to aggressively pursue programs to make the airport and surrounding community compatible must be created to avoid long-term major confrontations that will poorly serve the airport, County and community.

In light of these findings and our knowledge gained from many hours of testimony and review of evidence, we recommend that a redefined aviation role for Paine Field be selected which would achieve some of the primary objectives of the Revised General Aviation role, while also protecting the interests of the Paine Field residential community, the airport, and the County by incorporating key elements of the Do Nothing role. We entitle this new role "General Aviation."

The principal aviation objectives of the General Aviation role would be to retain and enhance light aircraft general aviation as the dominant aeronautical activity at Paine Field. This role would provide for a reasonable amount of airport facility expansion and modernization to accommodate the expected growth of this activity. Future aircraft operations would be keyed to the substantial growth rate

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projected in the Do Nothing role. This approach would impose strict control on any aviation activity with potential for adverse environmental impact.

The MRD enumerates its promises:

1. The General Aviation role will permit reasonable airport expansion to continue at Paine Field
2. **The General Aviation role will impose a minimum amount of adverse environmental impact on the Paine Field area community.** [emphasis added. Is this not a promise?]
3. **The General Aviation role will cause the least disruption to existing land use patterns around Paine Field.** [emphasis added. Is this not a promise?]
4. The General Aviation role will provide the best opportunity to both preserve and expand the existing airport industrial park.
5. **The General Aviation role will provide the greatest economic benefits to the County with the least economic and environmental costs.** [This is exactly SOC's position: that the General Aviation role (air side use) combined with industrial role (land side use) provides the greatest economic benefit to the County with the least economic and environmental costs. For 28 years, the MRD has been working exactly as intended.]
6. The General Aviation role will best serve the future needs of light aircraft general aviation, the principal aeronautical activity at Paine Field.
7. **The General Aviation role will ensure that light aircraft general aviation will remain the dominant aeronautical activity at Paine Field for the foreseeable future.** [emphasis added. Is this not a promise?]
8. **The General Aviation role will limit the expansion of aviation activities at Paine Field which are least compatible with its dominant aviation role and which would impose the most severe adverse environmental impacts on the surrounding community.** [emphasis added. Is this not a promise?]
9. The General Aviation role will provide the County with the best opportunity to successfully implement an aggressive, long-term noise abatement program at Paine Field.
10. The General Aviation role will protect the rights of the Boeing Company to use the airport facilities at Paine Field as outlined in their long-term contract with Snohomish County.

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Beyond the general language of the MRD that commits the County to maintain “A General Aviation role” for Paine Field, the MRD also includes specific Land Use Controls. Are these not promises? The MRD states:

4. Land Use Controls and Land Acquisitions
  - A. All noise impacted land inside Zone C Noise Exposure Forecast (NEF) 40+ should be converted to an airport-compatible, non-residential land use either by private development or through purchase by the County with a staged acquisition program following FAA guidelines.
  - B. Based upon the results of the noise monitoring system, the most severely impacted portions of noise impacted land inside Zone B (NEF 30-40) should be converted to airport-compatible, non-residential land uses whenever consistent with accepted land use planning principles.
  - C. The County should require or purchase appropriate aviation easements when granting approval of residential property requests inside Zone B (NEF 30-40).
  - D. The County should require that special noise insulation be added to all new residences constructed inside Zone B (NEF 30-40).
  - E. **The County should pursue efforts to require that disclosure of airport noise impact be included on title reports for all property located in Zone B or Zone C when development or subdivision is proposed.** [emphasis added.]

The promises enumerated by the County in the MRD created a good faith reliance by the community to plan, zone, and build our existing community. The foundation of every home and business in this area demonstrates the reliance on that promise. This is tangible evidence that changing the MRD now could create real and harmful social and economic impacts to our community.

7. **I am unclear as to how ANCA impacts the MRD and our work. Does it invalidate the MRD? In other words, even if we render an update of the MRD through this panel, does ANCA trump that recommendation? As I understand ANCA, it ensured Stage 1 aircraft would not fly after December 31, 1999 (which shrank the noise contours down considerably) in exchange for the FAA gaining more control over the airports in the US. That may have taken away our right to discriminate uses as well. (Tom Hoban).**

SOC’s Answer to Question #7

ANCA does not invalidate or trump the MRD. ANCA may affect the ability of Paine Field to receive federal funds in the future. The MRD is a county *policy* towards the role of Paine Field, and simply states what uses the County would

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like to *discourage* or *encourage*. The MRD does not state that any type of use is to be *prohibited*. So, as long as the Panel's document does not use the word "prohibit" with regard to uses, then the County, for example, can continue to select a General Aviation role for Paine Field. Note that, in the airport management field, the words "discourage" and "encourage" carry a great deal of weight, and can have a huge influence on ease of access for new users.

ANCA mandated the phase-out of Stage 2 aircraft weighing over 75,000 lbs., and it created a new, more restrictive airport noise and access restrictions. The County will run into problems with ANCA if it decides to institute its own unique noise or access restrictions.

Also note, ANCA applies only to Stage 2 and Stage 3 aircraft. In addition, some restrictions at airports that pre-existed ANCA may be grandfathered in. SOC asks the County to determine whether the restrictions of the MRD may be grandfathered in.

In any event, to the extent that the MRD continues to impose restrictions on type of aircraft, noise, etc., then Paine Field could receive a determination of non-eligibility for future federal funding. Paine Field could then lose that Federal funding if the County failed to lift the restrictions.

In view of FAA regulations, SOC believes the County could choose either of 2 paths:

First, the County could reaffirm the MRD with the "discriminatory" restrictions currently stated (see MRD restrictions recited in Question 3.) Should an air carrier wish to come to Paine Field and be faced with those restrictions, the carrier could complain to the FAA, which would start the process for determination of discrimination and potential future loss of federal funds from the FAA. The County could then continue to enforce the MRD's provisions but be deemed "non-compliant." It's a cost-benefit decision to the County: forfeit \$2 million/year of federal funding to preserve \$1 billion (estimated) of potential liabilities to the community, in addition to other social, health, and environmental impacts?

Alternatively, the County could remove specific restrictions that may be deemed "discriminatory" by the FAA by staying within the MRD's policy guidelines of "strongly discourage." The County could impose broad based economic directives on all air carriers, on a non-discriminatory basis, such that the carriers would properly pay for all direct and indirect economic and social costs imposed on the broader community by their presence. This path, if followed properly, would leave Paine Field compliant both with FAA regs (ANCA) and the MRD.

8. **The MRD is based on 12 findings made by the County Board of Commissioners in 1978, as stated in the MRD. What specific changes, if any, would you make to those findings? (John Shaw)**

SOC's Answer to Question #8

We would amend only one – adding the cities of Mountlake Terrace, Brier, Mill Creek and the Town of Woodway to the list in Finding #8.

9. **The MRD set forth several action steps for County Government that were designed to mitigate certain environmental effects of the airport. Have those steps been taken and have they resulted in the desired improvements to the environmental effects that the airport has on the surrounding community? Be specific. (John Shaw)**

SOC's Answer to Question #9: SOC believes the County should undertake a proper Environment Impact Review and analysis to fully address your question. Due to SOC's limited funds, we do not have the same resources as the County to perform such an assessment.

10. **What documents do you feel make up the MRD? Do you feel the 1977 Paine Field Community Plan (PFCP) was the document that was the basis for writing these two documents? (Russ Keyes)**

SOC's Answer to Question #10

The MRD is a combination of the "1978 Role" document and the "1979 Mediation Recommendations" document. Regarding the 1977 Paine Field Community Plan (PFCP), it is difficult to determine with certainty whether the PFCP was the basis for the MRD because the PFCP copy in the Panel members' packets is an incomplete *Draft* Environmental Analysis Summary rather than a complete, final version. Another concern is the accuracy of the Draft PFCP content. For example, the "COMPARISON OF ALTERNATIVE LONG-RANGE AIRPORT ROLES FOR PAINE FIELD" chart (Fig. 6) on Page 2-17 (Air Taxi and Commuter Aviation) uses grossly inaccurate terminology in the "Aircraft Type/DO NOTHING (DN)" box.

11. **Do you think it would be a good idea for this group to blend these documents into a single clear document based on the information in these two documents and the PFCP? (Russ Keyes)**

SOC's Answer to Question #11: Yes, provided the blending is done without compromising accuracy, and makes no material changes to the original documentation.

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**12. What do you believe the role of this group is as outlined in the MRD? (Russ Keyes)**

SOC's Answer to Question #12: SOC is unsure what "this group" refers to. The MRD Panel is not a part of the MRD, and we are not sure whether the question refers to the MRD Panel or to a panel called out by the MRD, such as the Paine Field Community Council.

**13. "A deal is a deal" what is your understanding of the "Deal"?**

SOC's Answer to Question #13: The "deal" comprises both "air-side" and "land-side" roles for Paine Field. The "air-side" role is the General Aviation Role mandated for Paine Field in the MRD. The "land-side" role for Paine Field is its support for industrial activities (e.g. Boeing and BF Goodrich.) To the extent that SOC and others support the MRD, we support both quality of life and economic development.

Although there has been little discussion regarding the "land-side" role of Paine Field, SOC believes an important comment is needed about this. Obviously, the Boeing Corporation is a major employer in our community, and Boeing depends on its ability to use Paine Field for aircraft flight safety testing, FAA certification, and other uses that support Boeing's role in the community. SOC believes that FAA regulations give the County a unique opportunity to impose restrictions on air passenger service while remaining consistent with FAA regulations. We quote from the FAA letter to SOC of December 12, 2005:

"Generally, the airport may not impose restrictions on the type of aircraft, the frequency of flights, or the time of day of operations. The exception to this rule is if the restrictions are necessary for the safe and efficient operation of the airport. In such cases, the airport must have concurrence from the FAA that the restriction is reasonable. In the event the FAA receives a complaint, Flight Standards and Air Traffic representatives will be consulted and appropriate studies (e.g. airspace, ground safety) may be initiated to determine if the restriction is reasonable and related to the safe and efficient operation of the airport."

To the extent that Boeing needs to conduct flight safety tests, FAA certification testing (e.g. take-off abort procedures, aircraft testing that requires prolonged use of the main runway at Paine Field, etc.) then ground safety operations for Boeing coupled with the prospect of commercial air passenger flights presents a legitimate safety concern that may allow the County to claim a safety exemption to restrict or prohibit air passenger service. This is an issue SOC believes the County should explore further, especially with the growing demands of the Boeing Company as it ramps up its 787 project.

Regarding the air-side use of Paine Field, flowing from the determination to maintain a General Aviation Role for Paine Field, the MRD enumerates land use

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controls, environmental, noise abatement and other controls to promote the urban development of the community. For example, the MRD states:

Failure to reduce the adverse impacts of airport operations on the community and control negative residential growth impact on aircraft activities will result in unnecessary social, environmental and economic hardship for the community, while jeopardizing legally and financially the County's substantial investment in airport facilities at Paine Field...

In light of these findings and our knowledge gained from many hours of testimony and review of evidence, we recommend that a redefined aviation role for Paine Field be selected which would achieve some of the primary objectives of the Revised General Aviation role, while also protecting the interests of the Paine Field residential community, the airport, and the County by incorporating key elements of the Do Nothing role. We entitle this new role "General Aviation."

This is the "deal."

**14. Is your group's issue that passenger service should not be allowed at Paine Field regardless of the MRD documents or that any passenger service at Paine Field must stay in the bounds of the MRD? (Russ Keyes)**

SOC's Answer to Question #14

We have always felt that any scheduled passenger service at Paine Field must abide by the provisions stated in the MRD. However, as noted, the Airport Noise and Capacity Act (ANCA) was passed in 1990, some 12 years after the MRD. The provisions of ANCA and other FAA regulations, combined with the grant assurances clauses, currently leave the County with 3 options:

- a. Allow all air passenger service in, on a non-discriminatory basis, without limits, e.g. on types of aircraft, time of day, or frequency of flights.
- b. Strongly discourage all air passenger service, on a non-discriminatory basis, with economic costs to the community imposed on such carriers who choose to use Paine Field.
- c. Prohibit some or all air passenger service, on a discriminatory basis, even if such prohibitions run counter to FAA regulations.

SOC strongly opposes option (a), endorses option (b), and would consider option (c) if carefully crafted and if the County agrees to be bound in an ILA to support restrictions even if found "non-compliant" by the FAA..

15. **What is your understanding of the requirement in the MRD that any actions taken must be in compliance with the covenants in deeds and grants of the U.S. Government? (Russ Keyes)**

SOC's Answer to Question #15

We agree, and always have, that the provisions in the MRD must not conflict with "...the covenants in deeds and grants of the U.S. Government".

16. **Do you have any information on how passenger service has affected the surrounding neighborhoods in Bellingham? (Russ Keyes)**

SOC's Answer to Question #16. No.

17. **SOC appears to reject scheduled air passenger service at any cost. Does this mean larger carriers, such as Alaska, United or Southwest and passenger loads of greater than 100 people per flight? The MRD has language that allows for commuter and business jets of up to 10 people per flight at fairly significant number of flights. Is this something SOC expects to change or is SOC okay with that? Also, does SOC hope or expect this panel will add language that addresses scheduled air passenger service one way or the other? (Michelle Robles)**

SOC's Answer to Question #17

Regarding the first part of the question, the MRD does not allow scheduled passenger service aircraft with more than 30 seats. For the second part, the MRD does not restrict the number of flights. Third, SOC hopes that the MRD Panel addresses scheduled air passenger service by clarifying the MRD's language to speak clearly to this issue, by reinforcing the MRD's mandate to "strongly discourage" air passenger service, by including economic conditions on air carriers to shoulder the direct and indirect cost burden to the community for their presence, and by making the MRD a binding Interlocal Agreement between the County and its constituent municipalities.

18. **Does SOC have any concerns about blending of documents and the 2006 dating of the revised document? (Michelle Robles)**

SOC's Answer to Question #18

No, provided the blending is done without compromising accuracy, and makes no material changes to the original documentation.

19. **I understand that the 65 DNL line measures where noise can become a problem for people. But it was pointed out that the figure is based on a long-term average sound level, not on single event noise. Should we be using the single event-tracking concept such as the LEQ or is DNL going to work? (Mayor Ray Stephanson)**

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SOC's Answer to Question #19

While a single-event noise measurement system would be far more realistic, for all practical purposes, we are stuck with the FAA mandated 65DNL average when it comes to determining any level of FAA noise mitigation relief. Thus the FAA mandates the model that draws a tightly bound noise contour map (the “money line”). By drawing the lines in, fewer people fall within the 65DNL noise contour line and therefore fewer people qualify for noise mitigation relief funds. Even those who do qualify often wait years before receiving any compensation.

- 20. One thing that didn't get mentioned in either presentation that I still hope to find out is how many and what kinds of flights would the MRD allow? Also I'd be interested in knowing how the “constrained” capacity provided for in the MRD would address the suggested market found in the Mead / Hunt study. (Mayor Ray Stephanson)**

SOC's Answer to Question #20

Regarding the first half of the question, the MRD does not address volume of flights. But, as to the kinds of flights “allowed”, the MRD states:

Other aviation activities that would be encouraged to continue and expand would be aircraft-related industries, business and corporate aviation, public service aviation, air taxi and commuter service.

To answer the second half of the question, although we did not find the word “constrained” in the MRD, it is used in the two recent Paine Field Master Plans. Because the Master Plans and the Mead & Hunt study were conducted by the County, this part of the question should be directed to the airport staff.

- 21. The MRD is based on 12 findings made by the County Board of Commissioners in 1978, as stated in the MRD. What specific changes, if any, would you make to those findings? (John Shaw).**

[This question and answer are the same as Question #8.]

- 22. The MRD set forth several action steps for County Government that were designed to mitigate certain environmental effects of the airport. Have those steps been taken and have they resulted in the desired improvements to the environmental effects that the airport has on the surrounding community? Be specific. (John Shaw)**

[This question and answer are the same as Question #9.]

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## **For PEC**

23. The May 18 presentations by the Private Enterprise Coalition and Save Our Communities made counter claims regarding the linkage between attracting business and jobs to the County and the presence of commercial air service. The PEC says high tech firms cluster around airports and SOC says the Paine Field marketing study was silent on this point. In their presentation SOC said there is no link between high tech locational decisions and a nearby airport. (Mayor Ray Stephanson)

The Business Travel Survey done by Mead / Hunt appeared to ask local business people for their use preferences. They did not ask outside firms, such as the high tech sector, if a local airport plays into their decision-making when searching for new sites. At this point it is not clear to me that we have an answer to the linkage question. (Mayor Ray Stephanson)

24. The Private Enterprise Coalition and Save Our Communities differed on FAA's authority to limit sponsor control of airport use. I ask that this point be clarified.

We looked up the Naples Airport challenge on the FAA web site. The FAA Order says they will prohibit future funding requests. Is that the end of the story? We stop certain uses or airplanes against FAA and rules and they cut off future funding? Prohibiting aircraft sounds like a last resort step and I hope we won't feel the need to go there. (Mayor Ray Stephanson)

25. If the purpose of the MRD panel is to review and update the MRD documents, then how is it that the County can discriminate any uses at Paine Field? . . . . My interpretation of the MRD documents lines up with Ed Level's legal opinion that the County (the owner and operator of the airport asset) may not discriminate uses. If my understanding is accurate, then the MRD panel would simply render a recommendation that the County may not discriminate uses and the panel's work would be complete. Please comment.

26. A comment to my friends with SOC: That politicians or others have made "promises" in the past to constituents is interesting and concerning to me. But the basis of those promises is hard for me to find within the MRD documents. The MRD documents in fact support non-discrimination of uses. The Ed Level opinion is helpful in understanding this. If I am missing something, please point me to it. (Tom Hoban)

27. I am unclear as to how ANCA impacts the MRD and our work. Does it invalidate the MRD? In other words, even if we render an update of the MRD through this panel, does ANCA trump that recommendation? As I understand ANCA, it ensured Stage 1 aircraft would not fly after December 31, 1999 (which shrank the noise contours down considerably) in exchange for the FAA gaining more control

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over the airports in the US. That may have taken away our right to discriminate uses as well. (Tom Hoban)

28. Snohomish County Airport Underutilized County Asset (opportunity cost) (Lori Kaiser)

- a. Shouldn't the MRD be considered at all in this opportunity cost question? After all the MRD led to the development we see here today. Was it valid to ask the opportunity cost question 30 years ago with one of the options being the MRD model? In fact, isn't that what happened? Didn't the development come along as a result; along with all the money, prosperity, improved standard of living, quality of life etc.? Do you propose to undo that?

29. Position Snohomish County as an attractive place to do business.

- a. Is it not a good place for business right now with the huge growth rates we have seen?
- b. Denver is an attractive place with incredible success and an airport far away from the population; the citizens there argued that being far away from the airport helps. Does the pro expansion group reject that model?

30. Airport noise and ANCA and the 65 DNL Noise Contour (Lori Kaiser)

- a. How does group envision people reconciling the average over a 24 hour period with incident specific noise?
- b. Does the pro expansion group believe that commercial service at PAE would come with PAE control over the type of aircraft used in each flight like stage 3 or 4? What stage aircraft are used in cargo operations? In regional flights? In somewhat longer range flights?

31. Legal Opinions on the MRD (Lori Kaiser)

- a. These were not legal opinions given by the county and should not be considered at all right?
- b. Has that group determined the MRD to be of no value?
- c. What is that group's position on the reaffirmation of the MRD so many times and the 5 cities most recently passing resolutions against pursuing scheduled commercial service at PAE. How does that group discount all of those concerns by the citizens and their elected officials?

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- d. Have they concluded that the county must seek and promote scheduled commercial air service in order to make the airport available to the public without discrimination?
  - e. Does the pro expansion group believe the county can influence the role of PAE or not?
  - f. Does pro expansion group believe that all costs and benefits must be considered?
32. What documents do you feel make up the MRD? Do you feel the 1977 Paine Field Community Plan (PFCP) was the document that was the basis for writing these two documents? (Russ Keyes)
33. Do you think it would be a good idea for this group to blend these documents into a single clear document based on the information in these two documents and the PFCP? (Russ Keyes)
34. What do you believe the role of this group is as outlined in the MRD? (Russ Keyes)
35. “A deal is a deal” what is your understanding of the “Deal”?
36. What is your understanding of the requirement in the MRD that any actions taken must be in compliance with the covenants in deeds and grants of the U.S. Government? (Russ Keyes)
37. Do you have any information on how passenger service has affected the surrounding neighborhoods in Bellingham? (Russ Keyes)
38. What reasons beyond the airport have companies given for not siting here in Snohomish County? Would companies siting here be willing to pay impact fees to improve traffic congestion around the airport? What size of companies, number of employees and/or jobs that would have come here if we had airport access? Any additional information on the potential economic loss PEC is postulating? (Michelle Robles)
39. I understand that the 65 DNL line measures where noise can become a problem for people. But it was pointed out that the figure is based on a long-term average sound level, not on single event noise. Should we be using the single event-tracking concept such as the LEQ or is DNL going to work? (Mayor Ray Stephanson)
40. One thing that didn't get mentioned in either presentation that I still hope to find out is how many and what kinds of flights would the MRD allow? Also I'd be interested in knowing how the “constrained” capacity provided for in the MRD

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would address the suggested market found in the Mead / Hunt study. (Mayor Ray Stephanson)

41. The MRD is based on 12 findings made by the County Board of Commissioners in 1978, as stated in the MRD. What specific changes, if any, would you make to those findings? (John Shaw)
42. The MRD set forth several action steps for County Government that were designed to mitigate certain environmental effects of the airport. Have those steps been taken and have they resulted in the desired improvements to the environmental effects that the airport has on the surrounding community? Be specific. (John Shaw)