

Ursula R. Euler, CPA, MBA

BestLifeThurston.com

10448 Cristen Ct SW

Olympia, WA 98512

BestLifeThurston@gmail.com

Washington Governor J. Inslee, hand-delivered

Olympia, Oct 25, 2022

Washington State Senator or Representative

Jim Honeyford	jim.honeyford@leg.wa.gov
Rebecca Saldaña	Rebecca.Saldana@leg.wa.gov
Bob Hasegawa	bob.hasegawa@leg.wa.gov
Karen Keiser	karen.keiser@leg.wa.gov
Judy Warnick	judy.warnick@leg.wa.gov
Claire Wilson	WILSON_CL@leg.wa.gov
Tom Dent	tom.dent@leg.wa.gov
Tina Orwall	tina.orwall@leg.wa.gov
Drew Stokesbary	drew.stokesbary@leg.wa.gov

Re : 2019 SSB 5370 Recommendation for new mega airport - Questions for signer/sponsors/co-sponsors

Honorable Governor Inslee,
Honorable Senators Honeyford, Saldana, Hasegawa, Keiser, Warnick and Wilson, and
Honorable Representatives Dent, Orwall and Stokesbary:

In 2019 you sponsored or subsequently co-sponsored SSB 5370. It was amended through a rider with 2022 Move-Ahead-Washington ESSB 5689 to extend certain deadlines and fund more Outreach. Much has happened since then.

For one, accelerating climate changes are more seriously challenging our ability to adjust than ever.

Second, the 2020 health study around SeaTac <https://bestlifethurston.com/wp-content/uploads/2022/06/Seattle-King-County-Health-Report-to-the-Legislature-Dec-1-2020.pdf> is making denial of the negative impacts of a large commercial airport on the wider airport communities hard to deny.

Thirdly, it is clear that any commercial aviation expansion in the State of Washington will stamp out any progress towards climate cooling and Washington's greenhouse gas emission reduction goals, be it electric cars or heat pumps.

Aviation is the most thirsty, dirty and noisy passenger/cargo-ton per mile transportation mode of all. Clean and quiet flying may be a game changer, but it is in its infancy and its introduction has been slowed by the aviation industry itself. Surely human ingenuity will make it more and more feasible, but the time lines for broad commercial applicability, availability and environmental benefits are uncertain. Independent experts are skeptical and call for caution.

The Washington Department of Transportation (WSDOT) Aviation Division and its expansion work group, the Commercial Aviation Coordinating Commission (CACC), were formed by you and the above legislation. It is hard to understand what prompted it in 2019, who influenced and wrote the legislation, even before it reached your inboxes and committees, and what outreach was conducted in 2019 to consult the public. One thing is certain: the CACC work since has flown under the public radar until this past September 23rd.

The questions below are for you, not the CACC, for two reasons: (a) you need to be aware, in case you are not, of the quagmire that this work has turned into; and, (b) loss of credibility of WSDOT/CACC and its work are a reflection on you.

I have followed this work since early 2020 because I thought I would be displaced by a new airport. And for me, the proof is in the pudding, that the law itself and the WSDOT CACC are the result of corpocracy, the U.S. style of a fake democracy.

Perhaps you can see the reasons for that over-arching conclusions in the detail questions asked below.

The WSDOT CACC Web site, excerpt down loaded on October 23, 2022 12:57pm from <https://wsdot.wa.gov/travel/aviation/commercial-aviation-coordinating-commission> shows:

The CACC began in October 2019 and is required to meet three deadlines:

- Provide an initial list of six possible locations to the Legislature by January 1, 2021 [Completed]
- Provide a list of the top two locations (options) by October 15, 2022 [Completed]
- Provide a single preferred location recommendation by June 15, 2023

As part of the recommendation approved by the Commission in September, the number of greenfield options provided by the consultant working on the aviation system plan was narrowed to three based on the technical data available. The commission will now focus on community engagement and additional technical analysis in order to narrow the options down further in the spring of 2023.

The opportunity for community feedback is now more focused on the greenfield sites. Prior to this, it was focused on existing airport communities as that list of options was narrowed.

The Commission's recommendations are as follows:

- Add capacity to Paine Field according to its Airport Master Plan (with potential for additional capacity), assume SEA executes its SAMP, assist other airports interested in pursuing regional commercial service (distributed air service supported by emerging technology)
- Continue to develop a greenfield site option with a two (2) runway configuration. Pierce County Central, Pierce County East and Thurston County Central are the three greenfield sites remaining under consideration for a new airport, out of the 10 that were analyzed by the state's consultant.

The consultant for the Washington Aviation System Plan (WASP) has been conducting technical analysis that also serves the needs of the Commission. The two activities are separate endeavors but have similar interests. The reason the CACC decided to continue to consider the three greenfield sites is because all the analysis has not yet been completed; the CACC had a legislative deadline to report a reduced list of locations to the legislature. Since there are still three sites being analyzed, the CACC chose to continue to examine these three sites as one of the options. The analysis that is remaining includes:

- Airspace review – with assistance from the FAA
- Air cargo analysis

It mentions an “initial list of six” possible locations in the context of its search for a primary airport (=mega airport) location. And it lists it as “complete.” However, the “initial list of six” submitted to the legislature were six existing airports, that could potentially be expanded. None of them were potential primary airport locations. As a result, this deadline was missed and the task was not completed as required. In June of 2022, the WSDOT CACC presented ten potential primary airport locations.

Q1: Could you explain (a) how and when you changed the legislation SSB 5370 (2019) from a list of no more than six primary airport locations to a list of six potential ‘auxiliary’ airports. If it has not been changed, can you explain (b) how you intend to make that change in the future, (c) what the meaning is of changing something in the future retroactively, and (d) how you will notify local jurisdictions and the public?

Q1 PostScript: If the official change has not been made, is the above “Complete” designation by the WSDOT CACC, of the first task truthful or should it be modified to “pending approval by the legislature through rider on 2023 bill# so-and-so”? Is someone already writing this bill and is it one of your staff, an industry lobbyist/attorney, neither or both?

The due date for the “initial list of six” primary airport locations was February 15, 2022 per ESSB5689 section 707, not January 1, 2021.

Q2: The many changes by the WSDOT CACC, are getting quite obtuse and confusing, even to its own staff, aren’t they? How then is this process transparent and open to democratic participation?

For the October 15, 2022 deadline for a report to you: The WSDOT CACC made the recommendation for three primary airport locations – and based on the continued delivery of master plan expansion at Paine Field and SeaTac. The prescribed process is for two locations, not two options. I trust the process in SSB5370 attempts to create transparency and accountability.

Q3: Could you explain how and when you changed the legislation SSB 5370 (2019) from two sites to two options?

Q3 PostScript: If the official change has not been made, is the designation above by the WSDOT CACC, of second task “Complete,” truthful or should it be modified to “pending approval by the legislature through rider on 2023 bill# so-and-so”? Is someone already writing this bill and is it one of your staff, an industry lobbyist/attorney, neither or both?

Q4: How and when did the WSDOT CACC change its September 23, 2022 vote from three sites to two options?

The WSDOT CACC used the below language for its vote on September 23, 2022. It approved Option 5.

Options for Meeting the 2050 Demand

1. Take **no action**
2. Add **capacity to Paine Field** according to its Airport Master Plan (with potential for additional capacity) and assume **SEA executes its Sustainable Airport Master Plan (SAMP)**
3. Add **capacity to Paine Field** according to its Airport Master Plan (with potential for additional capacity), assume **SEA executes its SAMP**, and continue to develop a **greenfield site option with a one (1) runway configuration** (requires minimal land acquisition)
4. Add **capacity Paine Field** according to its Airport Master Plan (with potential for additional capacity), assume **SEA executes its SAMP**, and continue to develop a **greenfield site option with a two (2) runway configuration**
5. Add **capacity to Paine Field** according to its Airport Master Plan (with potential for additional capacity), assume **SEA executes its SAMP**, assist other airports interested in pursuing regional commercial service (**distributed air service** supported by emerging technology), and continue to develop a **greenfield site option with a two (2) runway configuration**

Chair / Vice Chair / Planning Group Recommendation

5. **Add capacity to Paine Field** according to its Airport Master Plan (with potential for additional capacity), assume SEA executes its SAMP, assist other airports interested in pursuing regional commercial service (distributed air service supported by emerging technology), and continue to develop a **greenfield site option with a two (2) runway configuration**.

- Most resilient strategy focusing on a system solution
- Provides options within options
- Continue the analysis on the greenfield options of Pierce County East, Pierce County Central and Thurston County Central
- “Airport of the Future” addresses harmful emissions and noise.

Q5: Why is mention of SeaTac omitted on the WSDOT CACC website? Did the CACC members subsequently change their vote? If so, how and when?

For your convenience, the relevant section of SSB 5370 section 3(b) as amended through ESSB 5689 section 707 is shown below. You may notice that the wording reflects the definite “shall” process on how to make the primary (=greenfield) site selection:

27 (b) Identifying a preferred location for a new primary commercial
28 aviation facility. The commission shall make recommendations and
29 shall select a single preferred location by a sixty percent majority
30 vote using the following process:

31 (i) Initiating a broad review of potential sites;

32 (ii) Recommending a final short list of no more than six
33 locations by February 15, 2022;

34 (iii) Identifying the top two locations from the final six
35 locations by October 15, 2022; and

36 (iv) Identifying a single preferred location for a new primary
37 commercial aviation facility by ((February)) June 15, 2023; and

1 (c) A projected timeline for the development of an additional
2 commercial aviation facility that is completed and functional by
3 2040.

Going back to the list of six ‘auxiliary’ airports that could or might be expanded. The WSDOT CACC voted on that list on August 26, 2021. During the meeting, the clear statement was made that the list is preliminary. The WSDOT CACC February 15, 2022 written report leaves the door open for changes.

Q6: Can you, please, verify if the list of six ‘auxiliary’ airports, was final or if it is subject to change.

On August 26, 2021 the WSDOT CACC received a summary presentation of the result of the Community Health and Airport Operations Related Noise and Air Pollution: Report to the Legislature in Response to Washington State HOUSE BILL 1109, December 1, 2020. It clearly made the causal link between noise and air pollution (see its exhibits in appendix D) in the greater SeaTac communities not only to certain heart and respiratory illnesses, but also to

inequities, such as decreased insurability, low income and decreased learning ability. The study defines the affected area as approximately ten times larger than the actual footprint (+small buffer area) of an airport because it includes the areas polluted underneath approach and departure flight paths. At same meeting all CACC members, voting and non-voting, 'voted' to exclude public health from its guiding principles.

Q7: Why did non-voting members participate in that vote?

Q8: Did the online surveys in December 2021 and September 2022, include that information, and if so, how? If not, should that information have been included?

Q9: Should a public concern such as public health be subject to a vote, or is it a government's moral and intrinsic obligation to present relevant information to The Public and protect public health?

In reviewing WSDOT CACC archived files and the response to a relevant public records request, this important information was neither included in subsequent public surveys, presentations and other 'outreach,' nor in the evaluation scope for potential greenfield sites.

Q10: Could the WSDOT CACC verify to you if that is a fair statement?

The State of Washington has preemptive siting authority for essential public facilities, such as an airport. (RCW 36.70A.200, WAC 365-196-550, and others).

WSDOT CACC and its Chair have repeatedly said publicly that "local jurisdictions have final say."

Q11: Could you please clarify (a) which local jurisdictions he is speaking about (Pierce/Thurston County, or the Pierce/Thurston legislators in conjunction with all the other legislative representatives in WA State, for example), (b) what it is that local jurisdictions have final say over (f.e. is it a Yes or No to the airport or the shade of brown of the airport buildings), (c) what the meaning of 'sponsor' is, (d) if the State of WA can be the sponsor, and if so, how?

Just as an explanation: When the Chair of the WSDOT CACC says and writes that local jurisdictions have "final say," then residents and elected officials of Pierce and Thurston County hear, that they can say No to the airport. It is a reasonable assumption in that context. If that is a wrong conclusion, WSDOT CACC and you have the moral and legal obligation to corrected this in public and in all materials quickly.

WSDOT CACC has conducted two online surveys. (WSDOT CACC calls them "Open Houses," but they were Web pages, and after much criticism, with two one-hour live presentations and an opportunity for about ten live questions each hour in the second "Open House" only.) The online surveys were not statistically valid, per outreach consulting firm.

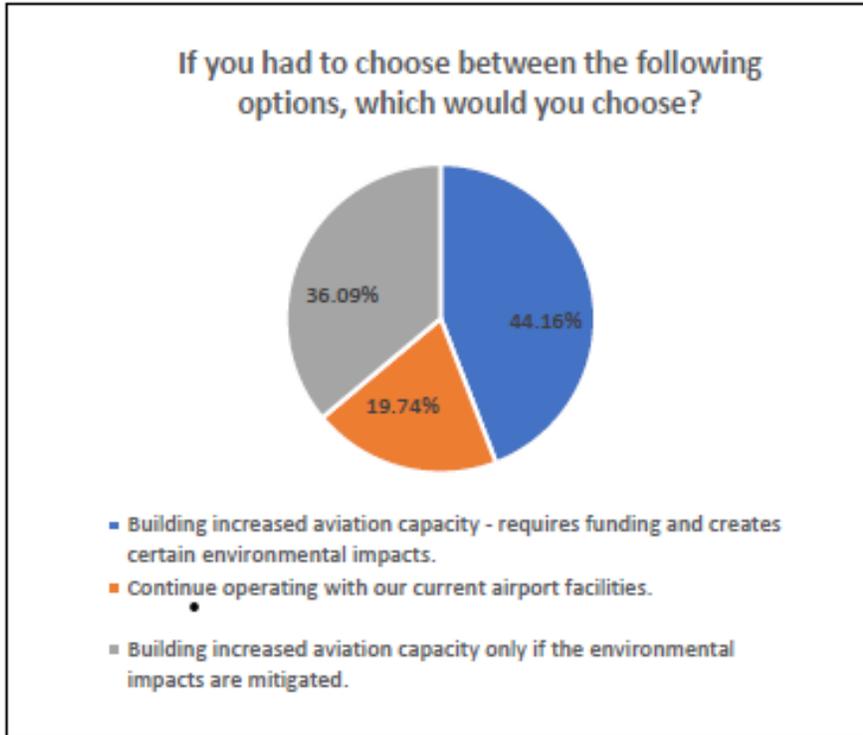
Q12: Was this because (a) the background information was bias, (b) the questions were leading, (c) the respondents were well informed, (d) a combination of (a), (b) and (c) and how so?

In these surveys, the public said No to aviation expansion, or No, only if environmental impacts are mitigated. Here are summary results as presented by the consultant.

Commercial Aviation Coordinating Commission

Online Open House report

PREPARED DECEMBER 22, 2021



Online Open House Greenfield Input

Greenfield location	Yes		Yes, with mitigation		No		Themes (top 3)
	Number	Percent	Number	Percent	Number	Percent	
Skagit County NW	705	12%	654	11%	4,633	77%	Farmland, environmental impacts, not needed
Skagit County SW	702	12%	648	11%	4,595	77%	Farmland, environmental impacts, not needed
Snohomish County NW	1,077	20%	1,138	21%	3,250	56%	Not needed, environmental impacts, general opposition
Snohomish County SE	1,026	19%	1,199	23%	3,071	58%	Not needed, environmental impacts, traffic
King County SE	1,182	20%	1,216	21%	3,491	59%	Traffic, farmland, too close to Sea-Tac
Pierce County E	888	16%	1,101	20%	3,450	63%	Traffic, environmental impacts, general opposition
Pierce County C	1,129	21%	1,256	22%	3,021	56%	Traffic, environmental impacts, too close to Sea-Tac
Thurston County C	1,271	22%	1,177	21%	3,239	57%	Environmental impacts, high number of people served, use an existing airport
Thurston County S	1,155	21%	1,059	19%	3,402	61%	Environmental impacts, low number of people served, prefer another location
Lewis County	1,072	20%	984	18%	3,281	61%	Low number of people served, environmental impacts, high number of people served



Source: WSDOT CACC presentation at September 23, 2022 meeting, excerpt.

Q13: Have you seen (a) the background information and questions; (b) do you consider the background information and questions as balanced between pros and cons; (c) Have you seen the comments?

The Chair of the CACC has repeatedly presented the survey results as: “Most people favor aviation expansion” when he speaks about the online surveys.

Q14: Is that a fair statement or is the better statement: Most people are against aviation expansion, and against expansion unless negative environmental impacts are mitigated?

I have asked and made my points to Mr. Fleckenstein, WSDOT CACC chair, many times before, without meaningful responses. Therefore, I am writing to you.

Pause aviation expansion efforts, until clean and quiet flying is here, implement it at existing airports first.

If you have questions, feel free to contact me at BestLifeThurston@gmail.com to make arrangements.

Thank you for your attention to these questions and best regards,

A handwritten signature in cursive script that reads "Ursula Euler".

Ursula R. Euler, CPA, MBA
BestLifeThurston.com

Cc Representative J.T. Wilcox, jt.wilcox@leg.wa.gov; Mr. George Watland, Chair-Sierra Club South Sound Group