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No. 73419-4

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SUPREME COURT OF THE STATE OF WASHINGTON

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PORT OF SEATTLE, a port district of the State of Washington,

Petitioner,

v.

THE POLLUTION CONTROL HEARINGS BOARD, an agency of the  
State of Washington; AIRPORT COMMUNITIES COALITION; and  
CITIZENS AGAINST SEATAC EXPANSION,

Respondents,

v.

STATE OF WASHINGTON, DEPARTMENT OF ECOLOGY, an agency  
of the State of Washington,

Respondent Below.

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DECLARATION OF MICHAEL FELDMAN  
IN OPPOSITION TO AIRPORT COMMUNITIES COALITION'S  
MOTION FOR INJUNCTIVE RELIEF

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Attorneys for Petitioner/Respondent Port of Seattle

Michael Feldman declares under penalty of perjury of the laws of the State of Washington:

1. I am over the age of 18 years, am competent to testify, and have personal knowledge of the facts stated herein.

2. I am the Deputy Managing Director of the Aviation Division at the Port of Seattle and lead a team of engineering, environmental and maintenance professionals who provide technical oversight and regulatory compliance of airport facilities, information technology, communication and utility systems, as well as building code administration and enforcement. I have served in this capacity since November 2000. I was formerly the Director of Aviation Facilities with similar duties. I served in that capacity from June 1998 to November 2000. I also formerly served as the Director of Aviation Professional & Technical Services at Seattle-Tacoma International Airport ("Sea-Tac"). I served in this capacity from January 1996 to June 1998 and have held a number of other planning and development positions at Sea-Tac and the Los Angeles International Airport.

3. I was responsible for providing comprehensive technical oversight of the airport to assure: (1) the airport's ongoing functional integrity; (2) maintenance of all facilities and utility systems; (3) effective and efficient capital delivery process; and (4) continuing compliance with all applicable environmental regulations. As a member of the Aviation Division's Senior Management Team, I participate in policy development and business decision-making.

4. I was responsible for directing the planning and development program for the Third Runway and the Airport Master Plan and related processes between 1991 and 1998.

5. Sea-Tac Airport is the only facility providing scheduled passenger airline service in the central Puget Sound region. Air travel demand in the region has grown substantially in the past years and long-term expectations are that demand will continue to rise. Since the last major expansion at Sea-Tac in the early 1970s, air passengers have increased about five-fold and aircraft take-offs and landings have more than doubled. In recent years, Sea-Tac has come to serve an area with one of the fastest growing economies in the country and regional air travel demand is expected to grow commensurately.

6. On August 1, 1996 the Port of Seattle Commission ("Port Commission") adopted a Master Plan Update ("Master Plan") for Sea-Tac which outlines the type and range of improvements needed to address existing delay problems at Sea-Tac and efficiently serve the growing air travel demand. The Master Plan includes the addition of a third runway, a consolidated employee parking lot, expansion to the existing parking garage, a new air traffic control tower, and a host of other airfield, roadway, passenger terminal, and cargo-processing facility improvements. This action was the result of approximately ten years of technical study, public review, and environmental analysis, including preparation of several environmental impact statements.

7. On May 27, 1997, based on the preparation of a Supplemental Environmental Impact Statement ("SEIS"), the Port Commission re-affirmed its approval of the Master Plan and authorized construction to begin on the third runway, consolidated employee parking lot, and parking garage expansion.

8. Between 1997 and 2004 substantial progress has been made in planning, defining, integrating and building the projects that comprise Phase I of the Capital Improvement Program required to implement the recommendations of the Master Plan. In addition, substantial investment has been made in people, procedures and systems to efficiently deliver the Capital Improvement Program.

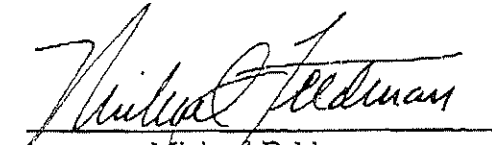
9. Any injunction that delays implementation of the Airport Master Plan will cause substantial injury to the residents and businesses of the Puget Sound region who rely on timely and cost-effective air travel via Sea-Tac to meet with customers, ship and receive products, and receive visitors as part of the region's tourism industry.

10. The third runway is needed to reduce existing aircraft operating delays in poor weather when aircraft landings and takeoffs are allowed to occur on only one runway, rather than two. Delay in completion of the third runway may have a negative impact on the region's economy if businesses relocate elsewhere or choose not to locate in the region because of inefficient airport service. The Port estimates that a one-year delay in completion of the Third Runway would result in a cost of approximately \$166 million to commercial airlines and their passengers

who will continue to experience increased travel time and travel related costs due to the present inefficiencies of the existing Sea-Tac layout.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 8<sup>th</sup> day of April, 2004.

  
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Michael Feldman