Truth in Aviation
Newsletter of the Regional Commission on Airport Affairs (RCAA)

October 31, 2003

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LINKS

PSRC A96-02 Reports

Portspin:

Getting Credit For Unimplemented Noise Programs

At its 7th Annual Air Transportation Progress Workshop on October 22, the Puget Sound Regional Council (PSRC) was very pleased to announce “progress” on meeting the requirements of reducing the aircraft noise impacts of Sea-Tac Airport. These requirements were imposed by the General Assembly of PSRC in its Resolution A-96–02, the formal action giving planning permission to the Port, so that it could receive federal funds for Sea-Tac expansion.

PSRC accepts at face value the idea that Port of Seattle has reduced the impacts of aircraft noise just because it conducted a Part 150 Noise Planning Process. Under Part 150, a committee can make recommendations on noise abatement measures. PSRC's idea back in 1996 was to require that the Port include on its Part 150 Committee a goodly number of interested local people, appointed by the near-by cities, instead of the usual mix of airport and FAA staff, paid consultants, and airport users. This would ensure that the results of the study would reflect the needs of the community.

The study was duly held, with active participation by well-informed citizens appointed by the near-by cities. Ain’t it just WONDERFUL! the PSRC reports implies.

In particular, this Part 150 Committee was strong on the important reduction in noise impacts that could be gained by the relatively small expense of adding a hush house for engine run–up noise at Sea–Tac. (Portland has already built their hush house for a much smaller facility. King County (BFI) is planning a hush house, a recommendation out of *their* Part 150 Committee, which was approved by the COunty Council in October 2002.)

The only kicker is that the Port Commission rejected nearly every recommendation of the Part 150 Committee, especially those like the hush house, which would require the Airport to

invest some of its own profits in environmental mitigation. Those are costs of doing business the Port has never, ever been willing to pay. Unless some other agency is willing to foot the bill for the Port, the plan is to pass those costs on to the neighbors while issuing a long stream of press releases about what a wonderful noise program they have at the Airport.

Now the Port noise program doesn't have to deal with that pesky Part 150 committee. It has something called the Fly Quiet Committee, where the community representatives are appointed by the Port and report to it, not to anyone else––not likely to ask for hush houses or anything the Port doesn't want to pay for. But PSRC can say, "Mission accomplished. A study was conducted. Who cares if anything good came of it?"

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September 26, 2003

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Oh Look! It's Another Two-fer!

Maintaining two mutually exclusive positions on the same point at the same time is something of a Port specialty. We call them "two-fers"--two opposing positions for the price of one.

Is it a wetland or not? Yes & No.

Port watchers were bemused by the Port's claim in its wetlands-permit applications to the Army Corps of Engineers and Ecology that it should get full credit for "restoring" 6.6 acres of the Vacca Farm to wetland status. Why the bemusement? Because in its lawsuit to acquire the property by eminent domain, the Port stoutly maintained, through its wetlands consultant, Dr. James Kelley, that the Vacca land was not really a farm, but was a commercially valueless wetland, subject to frequent flooding. Therefore, the Port shouldn't have to pay high-end farmland prices. Well, which was it? [For the record, the lawsuit was *Port of Seattle v. RST Enterprises*, King County Superior Court Cause no. 99-2-26788-5; Dr. Kelley's testimony appears in the Report of Proceedings at various places between p. 41 & p. 101).]

More planes? Certainly. Certainly not.

The Port brought 'two-fers' to a high art form in the Third Runway Environmental Impact Statements. In one part of each EIS, the Port asserted (without giving any details) that the runway would provide huge economic benefits by increasing the capacity of the Airport. But elsewhere in each of those same EISes the Port claimed that building the runway would not bring even one more airplane into Sea-Tac--in other words, it would produce no capacity increases at all. No new planes means (the Port said), no increases in noise, air pollution, &c. to the surrounding communities--no new mitigation would be needed. Actually, this is a "three-fer", because the Port admitted to the Puget Sound Regional Council that it *would* need to provide (unspecified) mitigation, & promised to do so. Can new airplanes arrive with new passengers when we're talking about good impacts (economic activity) but vanish when we're talking about negative impacts?

Do we have to watch out for birds? Yes & No.

In meetings on wetlands, the Port constantly points out that the FAA recommends not doing anything that would increase conflicts between the Airport and waterfowl. And so, the Port shouldn't have to do in-basin mitigation of damages to local wetlands. Of course, building a runway right in the middle of a large existing wetlands system at the headwaters of three creeks makes the Port just about the biggest violator of the FAA policy imaginable. (Check out the Highline photo album elsewhere in this newsletter to see just how much open water there is near Sea-Tac.)

Magic fill dirt

And we should mention the magic fill materials for the third runway embankment, which will allow clean water to percolate down to replenish local streams but which will at the same time block any water that might be contaminated by passing through "dirty fill". How does *that* work?

Voo-doo economics

A specialized Port two–fer is the voo-doo economics version. For example, the Port can charge the airlines huge new costs of doing business and call those costs "savings". Here's how this works. The third runway, if built, will supposedly save airlines all sorts of money by shortening arrival times by a few seconds here, a few minutes there (sometime in the far future). To pay for the runway, those same airlines will be charged enormous new landing fees (starting very soon). Of course the runway is presently penciled out at six or eight times the cost of any other similar runway. So the airlines will pay six or eight times more than a runway should cost upfront, but it's called a "savings" because they will save a smaller amount of money later on--maybe. Go figure.

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August 19, 2003

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LINKS

PI Guest Opinion

Foggy Logic

The latest pr line from the Port is "we all saw this Summer what it's like to have a clogged airport"--so that's why a third runway is needed. We saw this line in a guest opinion piece in the *Seattle Post Intelligencer* by Mic Dinsmore and Martha Choe and in recent letters to the editor.

Never mind that the delays in the early part of this summer were caused by a shortage of security screeners. Not a problem solved by a third runway. The runway is designed to relieve peak traffic delays during bad weather (something notably absent in summer, especially August, the highest traffic month). Our advice: Hire more screeners. It's cheaper.

This PR line is a classic bit of Port "foggy logic". In Port foggy logic, every delay at Sea-Tac would be cured by the third runway. Delays caused by fog when the airport was closed (and the third runway would be closed, too) are counted as delays cureable by a third runway. Delays caused by thunderstorms in Atlanta are treated as delays that could be cured by the third runway. Even closure of the airport for 9/11 and the Nisqually Earthquake are treated as delays for which "we just gotta have a third runway right now". The new spin: delays caused by a shortage of low-level security screeners are proof that we need a third runway! Watch out for claims that that delays caused by the electricty blackout back East would be cured by the third runway.

So, we ask the Port and other runway advocates, how come you say that we have a delay problem so severe at Sea-Tac that we have to build the most expensive runway ever built on land, wreck tens of thousands of homes and businesses in the neighboring communities, muck about in the headwaters of three creeks that go right into the Sound, and use contaminated fill to try to save some money, when the FAA Benchmark study shows no significant delays at Sea-Tac. (That was before 9/11, and traffic has *dropped* since then.)

In another masterpiece of fuzzy logic, Dinsmore and Choe

breezily dismiss the FAA benchmark study. "Well, that's for planning tower personnel," they say. That is supposed to explain away the discrepancy between their overblown delay projections and the reality? A study of delays for planning tower personnel is likely to be more accurate than the the wishful projections of monument builders and their contractors. But not if, by fuzzy logic, they can convince people that the third runway will cure all their travel woes.

Of course, someday this region will need a new airport. Our postage stamp-sized Sea-Tac with its dangerous flightlines over our heaviest population corridors won't do. But tacking on third runway won't solve that problem either. It may actually prevent us from doing the planning and making the investments our economy really will need in the future.

And the last bit of foggy logic: Alaska Airlines thinks it is a good idea. Well fine! If this is a project that will benefit Alaska Airlines, then include the costs of the whole project (including interest on borrowed money), include ALL of the damages to the neighboring communities, include full environmental mitigation, and have Alaska pay for it. All of it. With real money, cash on the barrelhead. Not with vague letters of support. And perhaps a contract exonerating the taxpayers if Alaska falls short, secured by a sound performance bond.

The Port is supposed to be a business, not a money-losing machine, as it now is. If it had to make a profit, as other ports do; if it had to pay dividends to local taxpayers, as other ports do, it could not live on foggy logic. In the world of sound economic logic, the third runway would be the first project cut.

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Portspin: Bending the Rules While the PR Campaign Distracts the Press

The core of the Port's current PR campaign on the third runway is to complain endlessly that other government agencies —and protest by the neighbors—as unduly delayed the project.

The truth is that this project has gotten this far only because the Port hasn't played by the rules (& others also didn't play by the rules).

The alternative-site study by PSRC was artificially constrained to the four PSRC counties. And worse, the evaluation of the third runway alternative was not done on the same basis as other alternatives.

The alternative-site study by PSRC was abruptly terminated just as its analysis was coming into focus, but before conclusions had been drawn.

The decision on noise-reduction from the Expert Arbitration Panel was discarded because it wasn't what was expected.

This is the ONLY project we have ever heard of in any incorporated city of this State where someone was allowed to build without submitting the plans to independent review by the City building department (maybe the Feds claim the right to ignore local building departments, but the Port isn't the Feds).

The Port was allowed to withdraw its second, defective JARPA application, an application that should simply have been denied.

The Engineers allowed the Port to proceed as if the second application had NOT been withdrawn but was simply being further studied by the Engineers.

The Port inveigled the Legislature into passing a special bill to reverse an adverse factual determination by the PCHB.

Ecology has been lobbied by the Port into changing the State-wide water quality standards, long i.n review, to the Port's particular advantage (by treating holding ponds differently, & less stringently, than in the past WQS).

The Port keeps getting the rules changed, or ignored, in order to promote building this project, & to the disadvantage of the public interest.

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June 27, 2003

The Delicate Art of Cost-Shifting

After examining the Port's new summary cost estimate, we'd be interested in a more detailed analysis. In particular, we'd like to see a line item for stormwater treatment. Treating the runoff from the third runway is a huge undertaking. So much additional treatment capacity will be needed that it will take a big chunk of the current capacity of the Renton treatment plant to serve it. So where is the budget item for building or replacing that capacity in the Port's cost estimate?

We bet it's not there. You see, the Port has taken up the delicate art of cost-shifting. That's where a government agency can understate the cost of its boondoggles by shifting those costs onto the budgets of other government agencies. In this case, shifting them onto sewage bills that we get from King County.

Case in point: King County Executive Ron Sims and County Councilman Larry Phillips editorializing in the Seattle Post-Intelligencer [link] trying to strong–arm Snohomish County into accepting King County's controversial, billion-dollar Brightwater sewage-plant proposal, despite the reservations of Snohomish citizens. "Building Brightwater will free capacity in our South Treatment Plant (in Renton) so it can serve growth there," opine the pair. That will allow residential and other growth that will so please the Boeing Company that it will want to build airplanes here. So they say.

Sims & Phililips fail to mention that a lot of that freed-up capacity will be lost to third-runway stormwater treatment. That should be paid for by the Port and the airlines, not by ordinary citizens through higher sewage bills. And that lost capacity won't be available for residential growth.

Related Stories

- Seattle P-I Guest Editorial

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RELATED STORIES

Seattle PI

April 19, 2003

Port Spin: "Oh, THAT dirty fill..."

Port spin watchers got a taste of portspin in full action in Larry Lange's article on the battle over the dirty fill bill in the legislature. April 12, 2003 *Seattle Post Intelligencer*.

In the article Port lobbyist Terry Finn backs off previous Port claims that they only use "clean" fill. RCAA responded to that claim by publishing a page on the dirty fill bill with a August 9, 2000 photo of the Hamm Creek "clean" fill showing a large rubber tire in it.

Finn now says the port will use "virgin," or natural soil, for the runway once construction resumes.

He told the PI that "Some contaminated soil was taken to the runway site from the Hamm Creek cleanup project at the Duwamish River; port officials said it met pollution limits at the time but would not under today's higher limits."

What higher limits are they referring to? The Hamm Creek fill (see photo below) *never* met pollution limits. The Port only claimed it did by mis-using the disputed SPLP test. It failed the first, more accurate test, so the Port used to less accurate SPLP to claim it passed. (Reminds us of the football player who flunks his calculus test, so they give him another test he *can* pass—even if it doesn't measure his knowledge of calculus.) The Pollution Control Hearings Board said they could not use the SPLP to pass fill that can't meet the more accurate tests of the *existing* limits. This decision is apparently what the Port is calling a "higher limit" and going to the leggie to force everybody in the whole state to use the inadequate SPLP test.

Meantime, the spinwatch gang is wondering what exactly constitutes virgin, "natural" soil. How about the ore from a arsenic mine. Hey...it's "natural".

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December 17, 2002

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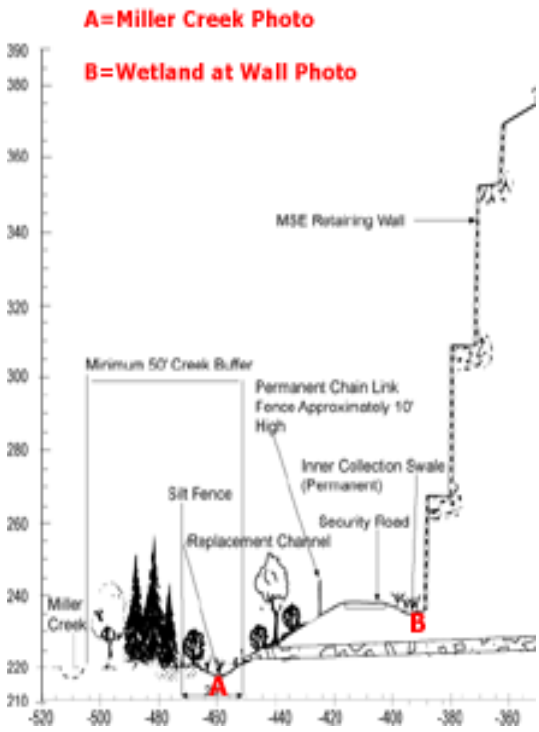
Port spin: "Avoiding Wetlands"

The maps submitted to the Corps of Engineers to support their wetlands permit contains a nice example of Port spin. The Great Wall of Sea-Tac is labeled "MSE Retaining Wall Used to Avoid Wetlands and Miller Creek".

The photos below are of Miller Creek just beneath the proposed wall and of a wetland 25' away from the first photo at the base of the wall. (See the red dot on the map). The red stake on the wetland photo marks the location of the wall. We are sure that they can build a 120+' high rammed-earth wall while carefully "avoiding" the wetlands and the creek at its base. They are just going to tippy-toe on little CAT feet all around those delicate wetlands that nature took thousands of years to create. Sure they are...



(Full original cross section)

Miller Creek Near Wall

Peat Bog Wetland at Wall

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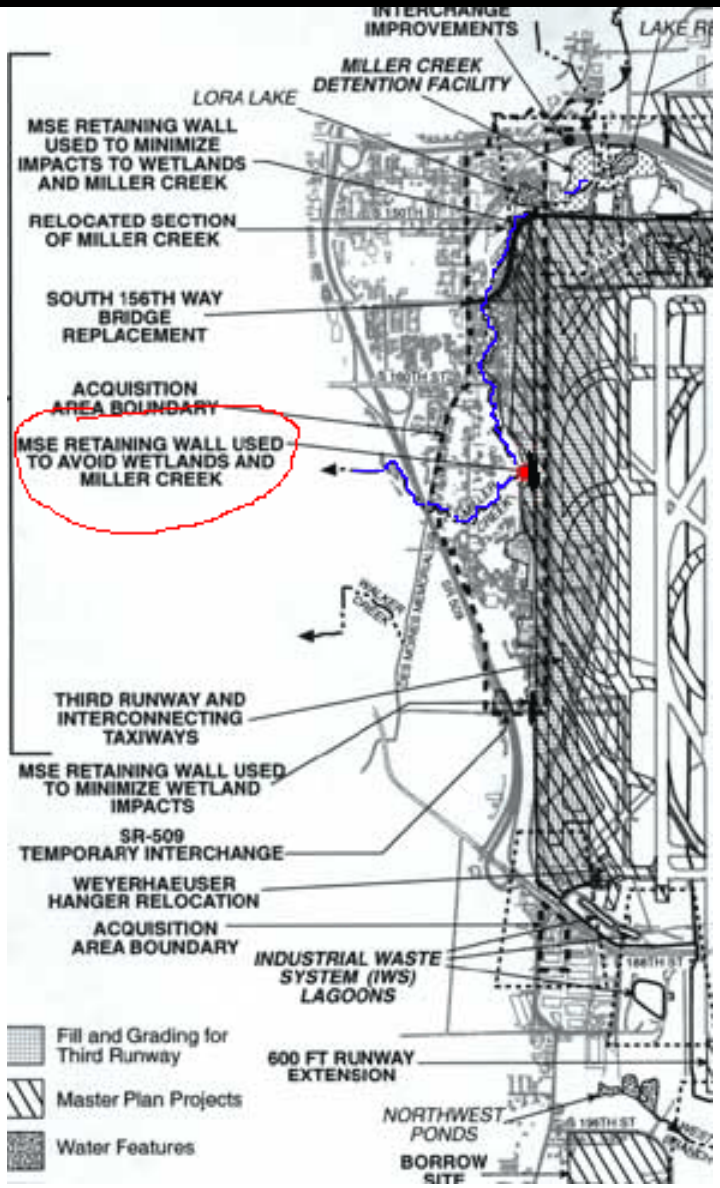

fullscale original map

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November 12, 2002

"Don't Litigate, Mitigate!" Says Port

On October 17, the Port of Seattle Commissioners and the City of SeaTac's City Council held a joint meeting (at the Airport) to celebrate five years of their interlocal agreement (ILA). The general theme was "Don't Litigate, Mitigate!". Supposedly, the City of SeaTac achieved big gains by opting out of lawsuits to restrain expansion at the Airport. The Port's public relations slogan marketed in the airport communities has long been "it's a done deal." Now, they appear to launching a new campaign in the airport communities under the this "mitigate, don't litigate" slogan. (They spend a lot on public relations, so be prepared to hear it over and over.) But just what does this one really mean?

True, the *City* of SeaTac itself has the promise of a multi-million dollar contribution from the Port for a new City Hall, and the Port has "relieved" the City of the burden of North SeaTac Park, and the burden of overseeing building permits for Airport projects (the Port issues its own permits now).

But just what mitigation have the *citizens* of SeaTac received? Does the ILA give SeaTac residents a separate, better deal on home insulation? Are overflights any less noisy than they would otherwise be? Is air quality improved? What is there in the agreement to reimburse residents for lost property values? Are their wetlands protected?

SeaTac's mayor Kathy Gehring-Waters, told the gathering that people in other near-by cities are now beginning to think that they, too, should "mitigate, not litigate". ...Oh?

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September 12, 2002

Portspin

The Port has been wringing its hands over the *granting* of its section 401 certificate by the the Pollution Controls Hearings Board, as if the Board was imposing sixteen (oh, golly, SIXTEEN!) amazing, new requirements they never heard of before.

The truth: The Federal Clean Water Act was adopted in 1972. The Port has known about it since Day One of this project. The only ruling that was the least bit unusual was the Board's rejection of the idea that someone could bring in contaminated fill and call it "clean".

The Port piously proclaimed in its press release on their appeal that "the Port of Seattle remains committed to building the third runway and all airport construction projects to the highest environmental standards in the State of Washington."

Fact: In its appeal of the order of the Pollution Control Hearings Board, the Port seeks to wipe out half of the environmental safeguards set up by the board for the runway project.

Fact: Lora Lake is a very conspicuous wetland close to Port construction projects. Look what's happened to it in the last year. (photos)

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August 12 , 2002

Portspin - Who are they kidding?

The Port of Seattle's second application to the Department of Ecology and the Army Corps of Engineers was withdrawn by the Port in September 2000. Why?

The Port told the Pollution Control Hearings Board, "In response to a request from Ecology for additional time to complete its §401 review, the Port agreed to withdraw [its] application in September 2000 ... . "

The "request" was actually a draft letter from Ecology to the Port, flatly denying approval of the project. The letter said, among other things. "At this time, Ecology does not have reasonable assurance the proposed project will comply with the applicable federal and state water quality requirements".

BACKGROUND
Chronology of the second application

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