

City of Burien
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Burien, WA 98166-1911

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burienwa.gov



Memorandum

To: Honorable Mayor and Members of the City Council
From: Brian J. Wilson, City Manager
Date: July 6, 2020
Subject: City Manager's Report

I. INTERNAL CITY INFORMATION

A. City Reminds Residents of Fireworks Ban and New Penalties (Page 12)

A press release went out on Friday, June 26, 2020, reminding residents that fireworks are illegal in City limits. It emphasizes the new penalties in effect for the possession and discharge of illegal fireworks in Burien and the new "social host" ordinance, which places responsibility on property owners for fireworks discharged on their property. Attached is the press release, a flyer that is being distributed widely throughout the community, and letters that have been sent to Block Watch captains and property managers.

B. King County Sheriff's Office (KCSO) Reforms Policy (Page 17)

Attached is a June 19, 2020 press release from KCSO: *Sheriff's Office Reforms Policy, Seeks Approval from 8 Can't Wait*. Sheriff Johanknecht ordered a review of KCSO Use of Force policies in the wake of the death of George Floyd in Minneapolis on May 25, 2020. KCSO asked Campaign Zero, a nationwide police reform campaign to reduce use of force and police brutality, to audit KCSO policies against the 8 Can't Wait. 8 Can't Wait are eight procedures identified by Campaign Zero as policies that need to be implemented. They are:

1. Ban Chokeholds and Strangleholds
2. Require De-escalation
3. Require exhausting all reasonable means before resorting to deadly force
4. Ban Shooting at Moving Vehicles
5. Require Use of Force Continuum
6. Require Comprehensive Reporting (of force)
7. Duty to Intervene
8. Require Verbal Warnings Before Shooting

Campaign Zero determined that items 1-6 are contained in existing KCSO policies. While it was determined that KCSO complies with items 7-8 in practice, they agreed that these policies would benefit from further clarification. Burien Police Chief Boe will provide an update on the policy changes that are being implemented to align with 8 Can't Wait at the July 6, 2020 City Council meeting.

C. Business and Economic Development Partnership Elections

At their June 12, 2020 meeting, the BEDP membership elected Hugo Garcia as Chair and Linda Akey as Vice Chair of the partnership. The terms for Chair and Vice Chair are one year. Former Chair Joshua Halpin and former Vice Chair Phoenix Cavalier were recognized and thanked for their service and leadership over the past year.

D. King County Grant to Burien (Page 19)

On May 12, 2020, King County Council passed Ordinance 19103, which allocated a total of \$1.95 million for a grant program to support King County cities' economic relief and recovery activities in response to the COVID-19 public health emergency. This grant program is intended to help alleviate the significant adverse economic impact of COVID-19 on incorporated municipalities of King County.

Burien is eligible to receive \$79,417. In order to disburse the funds, King County will enter into a subrecipient agreement with the City that complies with all federal requirements. These grants are funded by the Federal CARES Act and will need to comply with all regulations and requirements associated with this funding source.

The City intends to utilize these funds to provide small business grant funding to businesses to reimburse the costs of business interruption caused by required closures.

E. City of Burien Offers Small Business Relief and Recovery Grants

The City of Burien has made grant funding available to support small businesses impacted by COVID-19, with the application period opening on June 29, 2020. Funding for this program comes from federal dollars the City of Burien received through the CARES Act which disbursed funding for cities to navigate the impacts of COVID-19 in their local communities.

The effective collaboration on development of this grant program between multiple City departments allowed the City of Burien to be one of the first cities in King County to open a small business grant program with this funding.

\$375,000 has been allocated for small business grants to Burien businesses. Grants will be made in amounts up to \$5,000 and will be awarded to qualifying businesses. Funding is limited and applications will close July 13, 2020.

Qualifying businesses applying for the grants must:

- Have a Burien business license
- Have five or fewer FTE (full-time equivalent) employees as of March 1, 2020
- Have been in operation in the City of Burien for more than 12 months
- Have experienced a decrease of 25 percent or more in revenue due to COVID-19 related business closures
- Be a for-profit business
- Not be a franchise or national chain

- Not received funding from the Paycheck Protection Program, SBA Economic Injury Disaster Loan program, SBA Economic Injury Disaster Loan Advance (grant), or received more than \$5,000 from any other COVID-19 related grant program

Ventures Nonprofit has been selected by the City to administer the grant program. The grant application can be found online at: <https://www.venturesnonprofit.org/buriengrants/>

F. Burien Forward Together

City of Burien staff have launched a communications campaign titled Burien Forward Together, under which staff will communicate reopening plans, share resources and initiatives for community and businesses, and continue to emphasize the need to follow public health precautions. The goal is to inspire our community to work together to keep Burien moving forward toward recovery. The Small Business Relief and Recovery Program was launched under this campaign's branding. We will be expanding the burienwa.gov/covid website section to include more information from this campaign.



G. Recycling Workshop

The City of Burien and Recology CleanScapes are hosting a free recycling workshop on Thursday, July 9, 2020, from 6-7:00 p.m. This workshop will focus on what materials are accepted in the recycling bins in Burien, how to properly prepare recyclables for collections with guidance on items we may be seeing more of today such as cleaning wipes and disposable utensils, and why proper sorting is so important. The event will be held online via Zoom at <https://bit.ly/2V0HBX6>. The event is advertised on the City's [featured events page](#), posted on the City's [calendar](#), and Recology CleanScapes is advertising the event on their social media channels.

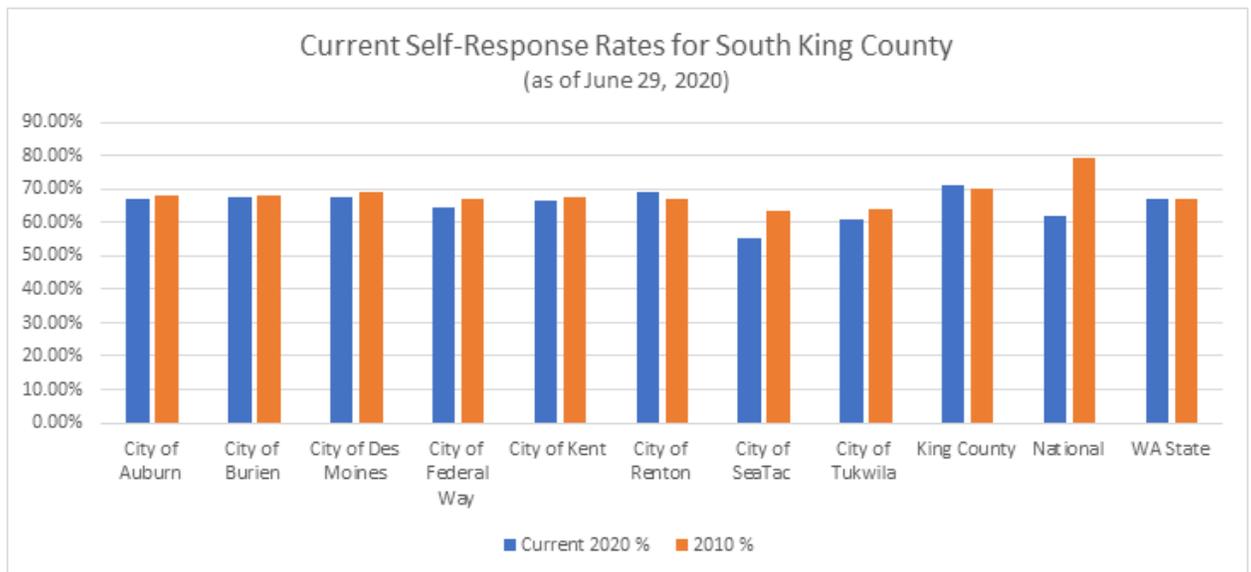
H. Census Update (Page 21)

The City of Burien is working with King County, United Way, U.S. Census Bureau, and others to coordinate final outreach for the census. We continue to broadcast a multilingual social media campaign and are looking at ways to distribute information about the census in places where people are already gathering.

The US Census will be starting [Mobile Questionnaire Assistance](#) on July 13. For two weeks, census workers will be in locations where people are gathering (grocery stores, farmers markets, etc.) to help people fill out the census. Full Personal Protection Equipment (PPE) and social distancing rules will be in effect. More details will be forthcoming about locations in the next week.

Self-Response	Current 2020 %	2010 %
City of Auburn	67.00%	68.40%
City of Burien	67.50%	68.00%
City of Des Moines	67.50%	69.10%
City of Federal Way	64.80%	67.10%
City of Kent	66.70%	67.80%
City of Renton	69.10%	67.20%
City of SeaTac	55.50%	63.50%
City of Tukwila	61.00%	64.00%
King County	71.00%	70.30%
National	61.80%	79.30%
WA State	67.10%	67.20%

29-Jun



Within Burien, certain [census tracts](#) have higher response rates. If an average of less than 1 household per day in each tract in Burien fills out the census between now and July 31 (before census takers begin knocking on doors), Burien will reach its final 2010 self-response rate.

That's an average increase of only 0.02 percentage points per day. (About 14,710 households have already responded!) Higher self-response rates mean fewer people are likely to be missed or counted inaccurately and fewer households will have a visit from a census taker to be counted in-person. It also means Burien has a better chance at receiving its fair share of services and political representation. More Census information can be found [here](#)

I. Community Development Update

Increase in Permit Activity: Community Development continues to see an uptick in permit interest. We are spending a lot of time on the phone and email with customers who are preparing to file permit applications. Additionally, we are working with Code Compliance on numerous code violation complaints. Our front-line staff member, Sangeyah Badu, is doing the job of two people in answering customer questions, and routing and issuing permits.

Housing Demonstration Projects: We are working with our first housing demonstration project and anticipate a virtual neighborhood meeting in the coming month to review conceptual plans for the site. City Council should see a revised concept in autumn. We have engaged with a second potential demonstration project to review potential sites for acquisition.

July 9, 2020 Tree Webinar: Planner Brandi Eyerly is organizing a webinar on the topic of "Trees, Municipal Codes, and Forestry Programs" in response to Council's interest in exploring methods to retain and enhance Burien's urban forest. We are also planning a conversation with the Burien Planning Commission on August 12, 2020 on the topic of tree regulations in Burien. Join the webinar [here](#).

Annexation Next Steps: We are planning next steps with representatives of King County, which include a facilitated conversation with interested jurisdictions. Expect to hear more on this topic soon.

Flood Insurance Program: On June 24, 2020 the Planning Commission recommended for approval elements to ensure Burien's continued participation in FEMA's National Flood Insurance programs. Updates to Burien's maps, regulations and flood insurance study are required by August 19, 2020. Council will hear about this issue at the July 20, 2020 City Council meeting. Jurisdictions across the state are undergoing similar updates.

Comprehensive Plan Docketing Schedule Amendments: On June 10, 2020, the Planning Commission approved proposed amendments to Burien's annual docketing time frame. The new schedule will allow more time for staff, commissioners and Council members to review and approve annual Comprehensive Plan amendments. We'll introduce this issue to you at the July 20, 2020 City Council meeting.

Housing Needs Assessment Preliminary Information: On June 24, 2020, the Planning Commission and members of other city commissions heard preliminary results on Burien’s Housing Needs Assessment—a multi-jurisdictional effort to provide baseline data for South King County and individual jurisdictions. The commissions also discussed the work program and outreach strategy for the upcoming Burien Housing Action Plan. A video of the meeting can be found [here](#). We are tentatively scheduled to brief the Burien City Council on this work on August 3, 2020.

Process Improvements Underway: We are working with consultants to undertake two major efforts to support increased efficiency and customer service. These are: 1) a study of our permit fees that will be based on hours needed to provide services, and 2) our permit system enhancement project, which we are launching now. As part of the permit system project, we are mapping our current processes. This effort will result in recommendations for permit process improvements along with software to enable online permit review.

J. Recreation Programming

Staff launched REC on the RUN on June 29, 2020. This summer, kids can enjoy some of the fun of being at camp without actually leaving the house. Each week participants will receive a box with instructions and most of the supplies needed to carry out fun, active and creative activities. There are even virtual field trips. REC on the RUN activity boxes will cost \$22 to \$25 per family. Activity boxes will be dropped off at each family’s house. Register at Burienwa.gov/registration.



K. Summer Camps

Due to COVID-19, the City is offering a modified summer camp for the month of August. Health and safety procedures have been put in place and social distancing guidelines will be followed to ensure a safe camp experience for youth entering 1st through 5th grades.

Campers will experience art, science, dance, games, enrichment, and play. Our camp will cover a fun mix of activities for everyone! Campers can sign up for just one week or spend all August in camps. The camp fee is \$155 for residents and \$175 non-residents, and scholarships are available.



Camp hours are 8:30 am to 4:00 pm. Register at Burienwa.gov/registration.

L. 2021 Burien Arts and Culture Grant Application Available Now

The City of Burien allocates approximately \$20,000 each year for Arts and Culture Grants. The purpose of the City’s Arts and Culture Grants is to support arts and heritage organizations as well as artists who will provide cultural opportunities for City residents. We also hope these projects will attract regional artists and audiences that can contribute to Burien’s identity as an arts and culture-oriented city.

The City of Burien understands that this is a difficult time for all and would like to encourage Burien arts and culture organizations to apply for “supportive funding to keep the organizations healthy.”

City of Burien staff are available to meet virtually to discuss grant development and funding options. We encourage applicants to reach out to discuss their individual situation. Please e-mail ginak@burienwa.gov to set up a time to talk.

For grant guidelines and application please go to:

https://burienwa.gov/residents/resident_resources/grant_opportunities/arts_culture_grant

Applications are due August 14, 2020.

M. Status of Annex Demolition

The Annex Demolition Project was advertised on June 19, 2020. A mandatory site walk was conducted on June 23 and eight potential bidders participated. The bid opening is planned for July 8, at 1:00 p.m. outside of the Burien Community Center.

N. Sports Field Use in 2020

As mentioned in a previous City Manager report, the City is not planning to rent sports fields at Moshier Memorial Park or Chelsea Park in 2020 due to the cost savings made in the PaRCS Department as part of closing the gap for the City’s projected revenue losses due to COVID-19 and its impacts on the economy. As part of the City’s cost savings strategy, the PaRCS Department offered cost reductions by not irrigating most of the parks, including sports fields, and laying off seasonal staff for the remainder of the year (1.5 FTE) that support mowing and field preparations for sports fields. The total savings are expected to be \$150,000. The total anticipated loss in revenues from field rentals is approximately \$20,000 for the year. Staff will notify sports leagues who typically rent the fields this week.

O. Juneteenth Outreach to Black Owned Businesses

On June 19, 2020 or “Juneteenth”, PaRCS staff members bicycled to the twelve known black-owned businesses in Burien to deliver a copy of City Council’s Juneteenth Proclamation, flowers, and a note thanking the business owners for being part of the Burien community. Included with the thank you-notes were business cards for PaRCS, Economic Development, and Human Services staff. The recipients were surprised and appreciative.



P. Outdoor Recreation Funding Request – Big Tent (Page 24)

As part of the Washington Recreation and Parks Association (WRPA) Legislative Committee, Parks Director Hope participated in meetings and data gathering activities that demonstrated the impact of COVID-19 on outdoor recreation agencies and the economic, quality-of-life, and public health benefits that these agencies provide. The data was used to prepare a letter from WRPA to the Outdoor Recreation Funding Roundtable subcommittee called Protect Existing Resources, which is chaired by Rep. Cindy Ryu (D-Shoreline/32nd Dist.). The letter requests that Washington State preserve funding for the outdoor recreation sector, including park agencies, in the 2020 Special Session and/or 2021 Regular Session on state budgets. The letter (attached) references some of Burien’s cutbacks in PaRCS.

Q. Parks and Recreation Month – Theme “We Are Parks and Recreation”

Since 1985, America has celebrated July as Park and Recreation Month. A program of the National Recreation and Park Association (NRPA), the goal is to raise awareness of the essential services that park and recreation professionals provide to communities across the U.S.



This July join PaRCS for Park and Recreation Month, as we celebrate the selfless, passionate and essential work of park and recreation professionals who are providing services that are vital to a healthy Burien.

Stories will be posted throughout the month of July on City social media channels. Stories will highlight the work staff, volunteers, and partners are doing to maintain our City parks, reach out to our community, and develop and provide programming during this difficult time. We hope the stories and images will inform the community on the behind-the-scenes work the department does. For more information on virtual programming to celebration July as Parks and Recreation month, visit https://burienwa.gov/residents/parks_recreation_cultural_services/programs_services

II. COUNCIL REVIEW/ACTION REQUESTED

A. Council Retreat(s) Request – Possible Dates

At the June 15, 2020 City Council Regular Business Meeting, Council expressed an interest in booking Ann Macfarlane to provide a training on Parliamentary Procedure. We have received word that she is available on July 11, 2020, July 25, 2020, August 8, 2020 and August 22, 2020. Council has also expressed interest in having a retreat to discuss the Council Guidelines.

- A. July 25, 2020 – Jurassic Parliament Training (from 9 a.m.-12 p.m.), and then Council Guidelines Discussion (from 1:00 p.m.-5:00 p.m.)
- B. July 25, 2020 – Jurassic Parliament Training (9:00 a.m. – 12:00 p.m.)
- C. August 8, 2020 - Jurassic Parliament Training (from 9:00 a.m.-12:00 p.m.), and then Council Guidelines Discussion (from 1:00 p.m.-5:00 p.m.)
- D. Alternate combination of dates or single date (the August dates that Ms. Macfarlane is available are August 8 and August 22)

Is there Council agreement on date preferences for Parliament Training and Review of Council Guidelines? Are there other retreat topics of interest to be scheduled in 2020?

B. 2020 Community Survey (Page 31)

City staff is planning to proceed with the Request for Proposals (RFP) process to select a firm to conduct the 2020 Community Survey. Every two years since 2008, the City of Burien has conducted a survey to assess residents' perceptions about the general quality of life in the City and their satisfaction with City government services. The survey is a longitudinal study that enables us to compare the results over time, as well as topical questions that allow the City to gather data on current issues that affect our residents. Funding for the community survey was approved in the 2019–2020 budget.

Does Council have interest in providing input regarding survey methodology and/or question themes and topics?

III. COUNCIL UPDATES/REPORTS

A. 2021-2022 Budget Calendar (Page 34)

Attached is the budget calendar for the development and adoption of the 2021-2022 Biennial Budget. Departments will develop budget proposals during the month of July. In a collaborative effort, the budget proposals will be reviewed by the City Manager, Finance, and directors to finalize the City Manager's proposed budget following the development phase. The legislative review by the City Council begins in October. Council action to adopt the budget is scheduled for the first week of December. See the calendar for the important milestones and dates of the process.

B. City of Burien Letter to Governor Inslee and King County Councilmembers, and Response from King County Councilmember Upthegrove (Page 35)

Attached is a letter dated June 25, 2020, sent by City Manager Wilson and City Clerk Gregor to Governor Inslee and the King County Council. The letter requests county action to regulate commissions and fees of third-party app-based food delivery platforms.

Also attached is a response (via email) from King County Councilmember Upthegrove advising that King County does not have authority to assist with this matter and suggests pursuing action through the State of Washington.

C. WA State Department of Commerce – Shelter Grant

The Department of Commerce (Commerce) intends for communities to use equitable and creative approaches to develop or expand shelter programs and bring people inside with a goal of exiting participants to permanent housing quickly. Funds will be awarded for a three-year period: August 2020 to June 2023. Submission Deadline: July 17, 2020. More information will be provided in the City Manager's Report on Emerging Issues.

D. Expiration of the Annexation Tax Service Credit (Page 39)

Attached is the notification from the state's Department of Revenue confirming the discontinuation of the Annexation Tax Service Credit to Burien effective June 30, 2020. As shared and discussed during prior financial plan updates and budget processes, this eliminates approximately \$1 million in revenue by 2021.

E. Closure of Phillips Publishing Group (Page 40)

Communications Officer Inlow-Hood was recently notified that Philips Publishing Group, the company that helps produce the Burien Magazine, is going out of business and will cease operations as of June 15, 2020.

This will likely affect the publication date of the fall issue. The Administrative Services Department are discussing how to proceed with publication of the magazine without assistance from this vendor.

F. MultiCare Update to Elected Officials, July 18, 2020 (Page 42)

Attached is the June 18, 2020 *MultiCare Update to Elected Officials*. Included is information on how MultiCare is addressing racism and injustice, re-engaging patients in their care that may be delaying care due to COVID-19 safety concerns, and a financial recovery status update. Previously instated to provide a weekly update in response to the COVID-19 crisis, *MultiCare Update to Elected Officials* will move to a monthly format going forward.

G. Possible August Special Legislative Session (Page 46)

The City has been notified by State Lobbyist Lyset Cadena that the legislature may be heading into a special session in August to address the \$8.8 billion state budget deficit. The Association of Washington Cities (AWC) Board Legislative Steering Committee adopted priorities in advance of a possible special session (attached). Ms. Cadena is available to brief City Council on this information if desired.

H. June 2020 Federal Legislative Update (Page 48)

Attached is the federal legislative update for June 2020 as submitted by Federal Liaison Mike Doubleday. Also attached the Federal Aviation Administration (FAA) Report to Congress, Reauthorization Act of 2018, which includes the noise metrics study.

FIREWORKS NOT ALLOWED WITHIN BURIEN CITY LIMITS

Alerts¹

Stiffer Penalties Approved Last Year are Now in Effect

Posted on 06/26/2020



New penalties are now in effect for the possession and discharge of illegal fireworks in Burien. A new “social host” ordinance is also now in effect, which places responsibility for the discharge fireworks on to the property owner where discharge of fireworks occurs.

The [new penalties](#) are:

- \$500 for the first violation.
- \$2,500 for the second violation.
- \$5,000 for the third and subsequent violations.

“With this unique July 4th holiday, we want our community to celebrate safely with family and friends and remember that fireworks are illegal in Burien, by ordinance enacted by City Council,” said Brian J. Wilson, Burien City Manager. “We urge people to consider the consequences of their actions.”

These penalties can be issued to individuals who either possess or discharge the fireworks as well as those who own or rent the property, even if they are not the ones handling the fireworks or even present at the time.

Please call (206) 296-3311 to report illegal fireworks.

“Every year there are individuals hurt by fireworks or a home is damaged or destroyed because of fire caused by fireworks,” said Chief Mike Marrs, King County Fire District #2. “Just last year, we tragically lost a community member in White Center to a house fire caused by fireworks. We ask you to consider is the risk worth the few moments of thrill?”

Beyond the risk for fire and injury, the loud sound of fireworks can trigger panic and feelings of anxiety for people experiencing PTSD as well as for wild animals and pets.

“We urge our residents to follow the law and not set off fireworks,” says Chief Ted Boe, Burien Police Department. “We will have extra police officers on patrol during the days before and after July 4th. If we see you setting off fireworks, you could receive an expensive ticket and have your fireworks confiscated.”

Have a safe and fun July 4th without the fireworks



Fireworks are illegal in Burien

New penalties now in effect

Violations of the City fireworks law prohibiting sale, use, discharge, and possession of fireworks carry a civil fine of \$500 for the first violation, \$2,500 for the second violation, and \$5,000 for the third and subsequent violations. Property owners are now responsible for fireworks discharged on their property.

In addition to the City of Burien Municipal Code (BMC 5.30), both state and federal statutes apply to the sale, possession, and use of fireworks in all jurisdictions within the State of Washington. Violations of these state and federal statutes may result in criminal prosecution at the felony level. Fires resulting from the illegal discharge of fireworks are typically investigated and prosecuted under the "arson" statutes of the State of Washington and can result in significant criminal penalties.





City of Burien
400 SW 152nd Street
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burienwa.gov

June 25, 2020

Dear Burien Block Watch Captain:

I hope this letter finds you well during these challenging times. We are writing to inform you that new penalties are now in effect as of June 26, 2020 for the possession and discharge of illegal fireworks in Burien (Burien Municipal Code, 5.30). Passed last year, the new penalties include a “social host” ordinance, which places responsibility for the discharge fireworks on to the “responsible party” where discharge of fireworks occurs. The responsible party includes:

- the person(s) with the right to control the property at the time that the discharge of fireworks occurs, whether such control arises by ownership, lease, or other legal right and whether or not such person(s) are present at the time of such discharge; or
- The person(s) in immediate control of property at which the discharge of fireworks takes place; or
- The person(s) who organizes, supervises, sponsors, conducts, allows, controls, or controls access to the discharge of fireworks.

The new fines are:

- \$500 for the first violation.
- \$2,500 for the second violation.
- \$5,000 for the third and subsequent violations.

We encourage you to communicate with your neighborhood about these new rules. We’ve attached a flyer to help you communicate the new rules. Please help us reduce the amount of illegal firework activity on July 4th this year. You can call (206) 296-3311 to report illegal fireworks.

Sincerely,

Brian J. Wilson,
City Manager, City of Burien



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400 SW 152nd Street
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burienwa.gov

June 25, 2020

Dear Burien property owner or manager:

I hope this letter finds you well during these challenging times. We are writing to inform you that new penalties are now in effect as of June 26, 2020 for the possession and discharge of illegal fireworks in Burien (Burien Municipal Code, 5.30). Passed last year, the new penalties include a “social host” ordinance, which places responsibility for the discharge fireworks on to the “responsible party” where discharge of fireworks occurs. The responsible party includes:

- the person(s) with the right to control the property at the time that the discharge of fireworks occurs, whether such control arises by ownership, lease, or other legal right and whether or not such person(s) are present at the time of such discharge; or
- The person(s) in immediate control of property at which the discharge of fireworks takes place; or
- The person(s) who organizes, supervises, sponsors, conducts, allows, controls, or controls access to the discharge of fireworks.

The new fines are:

- \$500 for the first violation.
- \$2,500 for the second violation.
- \$5,000 for the third and subsequent violations.

We encourage you to communicate with your residents and post this flyer in a prominent place in your buildings. Please help us reduce the amount of illegal firework activity on July 4th this year. You can call (206) 296-3311 to report illegal fireworks.

Sincerely,

Brian J. Wilson,
City Manager, City of Burien

CONTACT: Sergeant Ryan Abbott
King County Courthouse
Room W-116
516 Third Avenue
Seattle, WA 98104

(206) 255-0778 Mobile

KCSOPIO@kingcounty.gov
 @kingcosoPIO

Public Disclosure Requests, click on the link - [Website](#)

Date: 6/19/2020

Sheriff's Office Reforms Policy, Seeks Approval from 8 Can't Wait

Story- The King County Sheriff's Office is always evaluating our current policies and looking for ways to evolve and improve. After the tragic and troubling death of George Floyd on May 25th in Minneapolis, Sheriff Mitzi G. Johanknecht ordered a further review of our Use of Force policies to look for opportunities to clarify or strengthen them.

Although the King County Sheriff's Office made considerable changes to our Use of Force policies last year, we asked Campaign Zero to audit KCSO policies against the 8 Can't Wait.

The 8 procedures were developed by Campaign Zero, a nationwide police reform campaign to reduce Use of Force and police brutality. 8 Can't Wait consists of:

1. Ban Chokeholds and Strangleholds
2. Require De-escalation
3. Require exhausting all reasonable means before resorting to deadly force
4. Ban Shooting At Moving Vehicles
5. Require Use of Force Continuum
6. Require Comprehensive Reporting (of force)
7. Duty to Intervene
8. Require Verbal Warnings Before Shooting

On June 11, 2020, Campaign Zero determined that items 1 through 6 are already contained in existing policy in our General Orders Manual (GOM). The General Orders Manual sets forth professional standards for the performance, behavior, and service of our employees.

King County Sheriff's Office Contract Cities

Beaux Arts ! Burien ! Carnation ! Covington ! Kenmore ! King County International Airport! Maple Valley !
Metro Transit Police!
Newcastle ! SeaTac ! Sammamish ! Shoreline ! Skykomish ! Sound Transit Police ! Woodinville !

Although KCSO already complies with 7 and 8 in practice, KCSO agreed that policies need clarification on these points. KCSO reached out to union leadership, who fully supported the Sheriff's efforts and promptly agreed with the need to clarify policy. Collaboration with the King County Police Officers' Guild (KCPOG) and the Puget Sound Police Managers' Association (PSPMA) and the King County Sheriff's Office Marshals' Guild (KCSOMG) resulted in policy revisions to require a *Duty in Intervene (GOM 6.00.055)* when a member of KCSO observes another member using force that is clearly beyond what is reasonable under the circumstances and *Verbal Warnings (GOM 6.00.045)* before discharging a firearm. *We accomplished these revisions in only 5 working days.*

The King County Sheriff's Office is grateful to Campaign Zero and union leadership. This is an example of how collaboration can work to effect change.

On Monday, June 22nd, we will send our revised policies to Campaign Zero for feedback and final sign off.

We look forward to more opportunities to collaborate on issues that improve transparency and accountability. Another recent project that increases transparency on use of force can be found at <https://www.kingcounty.gov/depts/sheriff/on-line-reporting/dash-boards.aspx> This interactive dashboard contains information on all uses of force from 2014-2019.

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King County Sheriff's Office Contract Cities

Beaux Arts ! Burien ! Carnation ! Covington ! Kenmore ! King County International Airport! Maple Valley !
Metro Transit Police!

Newcastle ! SeaTac ! Sammamish ! Shoreline ! Skykomish ! Sound Transit Police ! Woodinville !

King County Coronavirus Relief Fund Subrecipient Grant Agreement Economic Development for Cities

ATTACHMENT C - PROGRAM SCOPE OF WORK

1. Introduction

On May 12, 2020, King County Council passed Ordinance 19103, which allocated a total of \$1.95 million for a grant program to support King County cities' economic relief and recovery activities in response to the COVID-19 public health emergency. This grant program is intended to help alleviate the significant adverse economic impact of COVID-19 on incorporated municipalities of King County. The funds will be distributed to every city of King County, except for the city of Seattle, based on per capita population with a minimum grant of \$10,000.

Note: With the grant minimum set at \$10,000, some of the calculated city allocations will be adjusted slightly to keep the total programmatic allocation at \$1.95 million.

2. Program Objectives/Outcomes

King County is seeking to achieve the following outcomes with this grant program:

- a. Small businesses receive the support they need to overcome disruptions caused by COVID-19
- b. Small businesses receive the support they need to safely re-opening while adhering to local public health guidance and operating guidelines designed to protect employees and customers
- c. Support underserved and other priority small businesses that have not been able to access other resources
- d. Help small businesses restart quickly, recover from the impacts of the pandemic, and contribute to the overall economic stability of the community (i.e., revenues and jobs)

While King County empowers the subrecipient to define 'small business', cities should prioritize grant funds to businesses that meet a reasonable standard of 'small' and have experienced acute business interruption or require immediate assistance to adapt their services to adhere to public health guidance and considerations.

3. Eligible Expenditures

The grant funds must be used for cities' economic relief and development activities in response to COVID-19. The funds should only be used for costs that were not accounted for in the city's 2019 fiscal year budget and must comply with all federal requirements set for the Treasury's Coronavirus Relief Fund (detailed in Attachment A "Federal Terms"). Expenditures must be incurred in the period from March 1, 2020, through December 30, 2020, and must be recorded and documented using the generally accepted accounting principles and the provisions of Title 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements.

Expenditures may fall in any of the following broad categories:

- City internal operational expenditures
- City direct expenditures for small businesses
- Passthrough grants to small businesses to reimburse the costs of business interruption caused by required closures.

The following list provides some examples of eligible expenditures:

- Materials to give out to businesses to facilitate safe opening (e.g., PPE, sanitation supplies, plexiglass barriers, markers, signage)
- Rental of materials to increase the outdoor seating capacity for restaurant businesses
- Marketing materials for businesses
- Passthrough grants to businesses to reimburse business interruption costs not previously satisfied by any other funding source
- Technical assistance to businesses (consulting services)
- Temporary staff hired to engage with businesses
- Consulting Services (business surveys, training, city marketing materials, etc.)

4. Grant Documentation & Reporting

EXHIBIT #	Form/Report	Short Description	Interval
1	Pre-award: risk assessment questionnaire	Short survey to understand City's administrative capacity	With the intake form preceding agreement signing
2	Federal Funding Accountability and Transparency Act (FFATA) Data Collection Form	<ul style="list-style-type: none"> • Only for entities receiving grant funds in excess of \$25,000. • King County will use this information to report to www.FSRS.gov within 30 days of the award. • Template attached. 	With the signed agreement <i>(if the grant amount is in excess of \$25,000)</i>
3	Bi-monthly performance report	Summary expenditure report by eligible activity	Bi-monthly following agreement signing
4	An expenditure report detailing all expenditures up to the grant amount	A standard report generated from the city's official accounting system or sufficient documentation to demonstrate grant expenditures, payee, and date of transaction	Within 30 days of final payment utilizing grant funds
5	Direct Grant & Beneficiaries Report	A standard report that outlines all businesses who received a <i>direct</i> grant payment from the city, detailing business information and key demographic indicators	Within 30 days of final payment utilizing grant funds

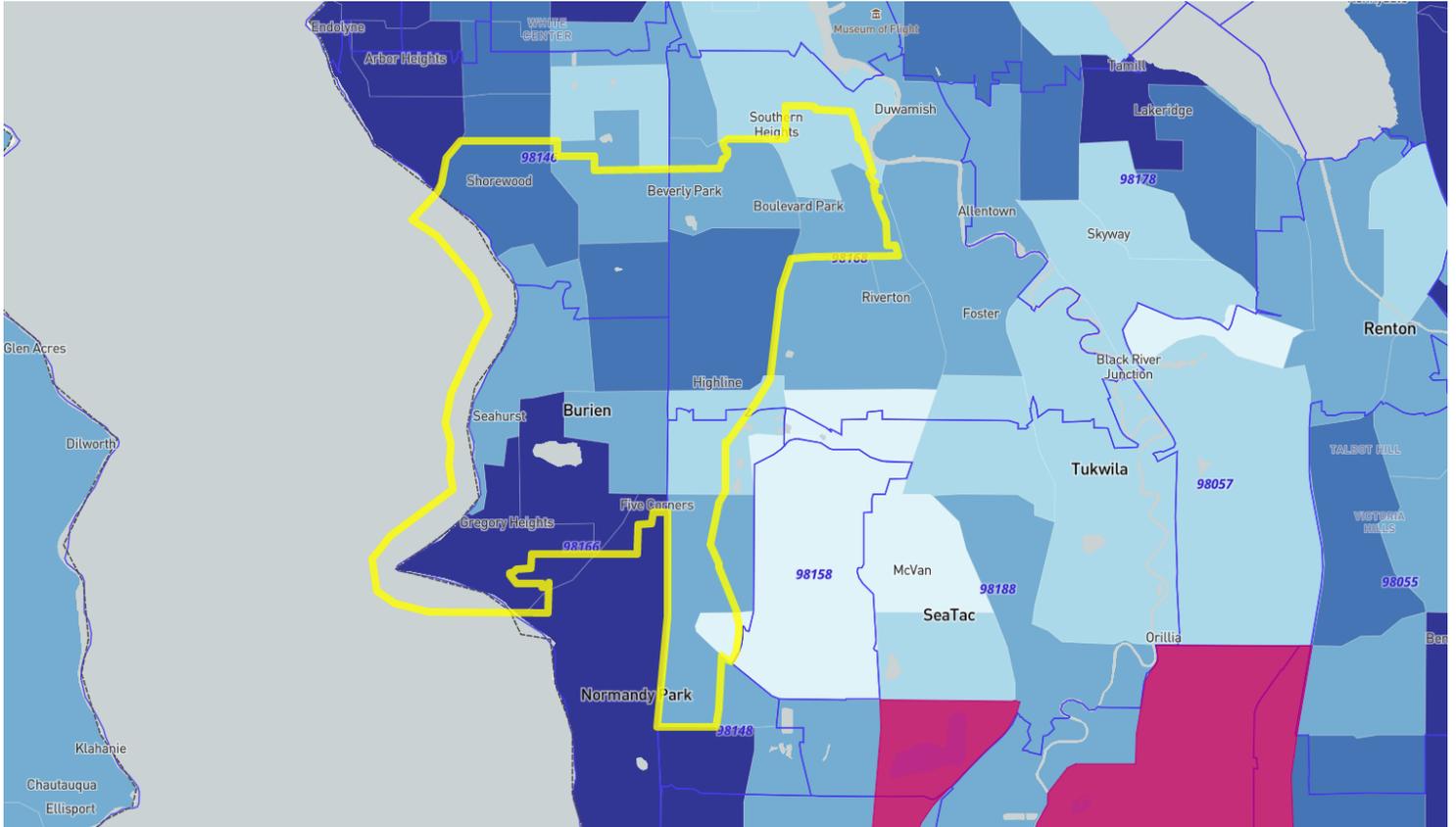
CENSUS 2020

Hard To Count Communities

www.censushardtocompmaps2020.us

DIRECT LINK TO THIS MAP <https://www.censushardtocompmaps2020.us/?latlng=47.46924%2C-122.32349&z=13&query=cities%3A%3A5308850&promotedfeaturetype=cities&arp=arpRaceEthnicity&baselayerstate=5&rtrYear=sR2020latest&layers=bottom%20%25%20self-response%20rate%202020%2Czip%20codes&infotab=info-rtrselfresponse&filterQuery=false&searchbox=searchcity&searchval=Burien%2C%20Washington>

For more information about this map, please contact the CUNY Mapping Service at the Center for Urban Research, CUNY Graduate Center at CUNYmapping@gc.cuny.edu (mailto:cunymapping@gc.cuny.edu)



Self-Response Rate by State

Self-Response Rate by County

Self-Response Rate by Tract (2020)

- 85% or more
- 74 to 85%
- 68 to 74%
- 62 to 68%
- 56 to 62%
- 50 to 56%
- 40 to 50%
- 30 to 40%
- 15 to 30%
- 15% or less
- No data

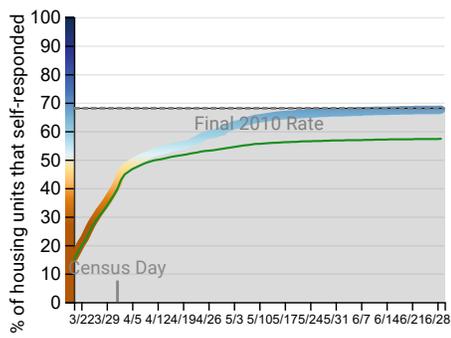
Bottom 20% Self-Response Rate 2020

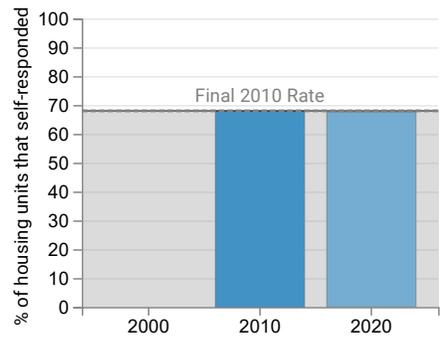
Tracts in the bottom 20 percent of self-response rates nationwide

Counties

ZIP Codes

NOTE: ZIP Codes boundaries may not line up with other boundaries.





Carolyn Hope

From: Doug Levy <Doug@Outcomesbylevy.onmicrosoft.com>
Sent: Thursday, June 25, 2020 7:51 AM
To: Paul Simmons; tom.teigen@snoco.org; 'Albert H. Vorderbrueggen'; arvilla@hctc.com; Bob Vaux; caseb@cityofellensburg.org; briana@co.skagit.wa.us; BrianB@issaquahwa.gov; kurt.sacha@mylongview.com; dchase@spokanecounty.org; debbiet@tacomaparks.com; dirswprd@whidbey.com; glee@kentwa.gov; hunterg@tacomaparks.com; jbottelli@spokanecounty.org; Julie.Hannon@cityofvancouver.us; Kelly Beymer; Jonathon Turlove; scottg@keypenparks.com; lotos@comcast.net; lbetlach@rentonwa.gov; LMurphy@kirklandwa.gov; Lori Cummings; mdodsworth@cityoflakewood.us; peterm@tacomaparks.com; Rick.Still@TukwilaWA.gov; SMcVein@bellevuewa.gov; tmizell@marysvillewa.gov; tstombaugh@siviewpark.org; vzaputil@tukwilapool.org; info@desmoinespool.org <info@desmoinespool.org>; info@myvillagegreen.org; kirk.harris@fallcityparks.org <kirk.harris@fallcityparks.org>; sbrawley@eastmontparks.com; WRPA Office; WRPA; kurt.dahmen@Pullman-Wa.gov; bleonard@everettwa.gov; MMcFarla@co.whatcom.wa.us; kshelton@everettwa.gov; LynnZ@kirklandwa.gov; JoeB@tacomaparks.com; jessi.bon@mercergov.org; nik.stroup@bothellwa.gov; jbetz@ci.mt.wa.us; kashe@cityofcheney.org; tracey.perkosky@bothellwa.gov; solson@lynnwoodwa.gov; Kristine Selleck, District Administrator; Laura Keehan; Andy Coleman; David.Perlick@cityofvancouver.us; ryan.daly@mercergov.org; Casey Stanley; Jeff Ozimek; kwitte@ci.mt.wa.us; Hoggatt, Laura; Tyler, Kevin; Reed, Magan; Burley, Shannon; Kerry Hibdon; Alex Wisniewski; Parker, Camron; dhall@marysvillewa.gov; jfrangelo@tukwilapool.org; steve@sacpa.org; Parascondola, Julie; Mike Farrell; eott@vashonparks.org; Anjali Myer; JenniferB@mountvernonwa.gov; Galina Burley; angie.feser@edmondswa.gov; Mary M. McCluskey; jprice@mukilteowa.gov; Carrie Hite; Doug Nelson; Carolyn Hope; Christina@keypenparks.com; mattw@keypenparks.com; Oliver, Nicole C.; dirswprd@whidbey.com

Cc: Justin Brown; Roxanne Miles; Tiffany Hanzo; tstombaugh@siviewpark.org; Papich, Jennifer; Dave.Johnson@maplevalleywa.gov

Subject: FW: "Protect Existing Resources" -- FINAL - Going to Rep. Ryu for her end-of-day sendoff to other Legislators - See last changes incorporated below

Attachments: 6-25-2020 FINAL Protect Existing Resources SUMMARY 4 Outdoor Rec Funding Roundtable.docx

Importance: High

CAUTION: This email originated from **outside** of the City of Burien. Do not click links or open attachments unless you recognize the sender and have verified the contents are safe.

Good Morning, WRPA Executive Board, Executive Director, Legislative Steering Committee Chair – and cc to WRPA LEG Distribution List:

FYI on an effort and work product for which yours truly served as a Work Group Chair, wearing my hats both with Washington Recreation & Park Association (WRPA) and the Recreational Boating Association of Washington (RBAW).

This document was put together for an Outdoor Recreation Funding Roundtable that is chaired by Rep. Cindy Ryu (D-Shoreline/32nd Dist.) and includes several other state legislators which are highly supportive of outdoor recreation

funding and want it protected and ultimately enhanced. The Roundtable also includes a few dozen organizations and stakeholder groups (Peter Schrappen has participated as well with his NMTA and Big Tent Outdoor Recreation Coalition 'hats' on).

What this document does is make the case for why outdoor recreation funding must be protected, outlining the broad-based impacts of COVID-19 and the economic, quality-of-life, and public health impacts that go with it. You'll notice that WRPA is listed as a contributing organization.

You will also see that as a result of our work to broadcast and promote this effort through WRPA and the statewide parks directors' group that meet Mondays and Thursdays, we also had seven (7) local parks agencies contribute information and data that helped shape this document.

As always, let me know if any questions.

Doug Levy, Owner
Outcomes By Levy, LLC
(425)922-3999 – Office/Cell
Doug@outcomesbylevy.onmicrosoft.com (Work)
Levy4@msn.com; Levydtzc@outlook.com (Personal)

From: Doug Levy

Sent: Thursday, June 25, 2020 7:39 AM

To: 'Betsy Robblee' <betsyr@mountaineers.org>; 'Christine Mahler' <christine@wildliferecreation.org>; 'Majken Ryherd' <majken.ryherd@gmail.com>; 'Teresita Torres' <teresitatorres@gmail.com>; 'Ted Jackson' (tedsbiz@gmail.com)' <tedsbiz@gmail.com>; 'Peter Schrappen' <Peter@nmta.net>; 'Falkenburg, Nelson (DFW)' <Nelson.Falkenburg@dfw.wa.gov>; 'Sisolak, Joel P (DFW)' <Joel.Sisolak@dfw.wa.gov>; 'aimler@wta.org' <aimler@wta.org>; 'James Moschella' <jmoschella@wta.org>; 'Wicks, Rep. Emily' <Emily.Wicks@leg.wa.gov>; 'Carolyn Hope' <CarolynH@burienwa.gov>; 'Doug Nelson' <dnelson@penmetparks.org>; 'Brown, Wendy (RCO)' <wendy.brown@rco.wa.gov>; 'owen.rowe@parks.wa.gov' <owen.rowe@parks.wa.gov>; 'bbbranch@olympus.net' <bbbranch@olympus.net>; 'andrea.martin@dnr.wa.gov' <andrea.martin@dnr.wa.gov>; 'Jennings, Darrell (OFM)' <Darrell.Jennings@ofm.wa.gov>

Cc: 'Brit Kramer' <britk@redbarncommunications.com>; 'Ryu, Rep. Cindy' <Cindy.Ryu@leg.wa.gov>; 'Liaw, Shoubee' <Shoubee.Liaw@leg.wa.gov>; 'Heather Hansen' <heather@wafriends.org>; 'Kathryn Hedrick' <kathryn_hedrick@comcast.net>; 'becky@bogardjohnson.com' <Becky@bogardjohnson.com>; john@wspf.org; 'Amy Brockhaus' <amy.brockhaus@mtsgreenway.org>

Subject: "Protect Existing Resources" -- FINAL - Going to Rep. Ryu for her end-of-day sendoff to other Legislators - See last changes incorporated below

Importance: High

Good Morning, Everyone:

Following Wednesday's meeting of the full Outdoor Recreation Funding Roundtable and direction from our Chair, Rep. Ryu, I am attaching what will become the final version of the "Protect Existing Resources" document put together with collective help from all of you.

Rep. Ryu instructed that we add a sentence for Washington State Parks Foundation and Mountains to Sound Greenway Trust, which hadn't been aware of our prior 6/12/2020 deadline for submissions (which we extended a few days) and asked about adding brief text and having their organizations listed as contributors to the document. This finalized draft does so – the sentences are added as part of a new 3rd paragraph that is under the sub-header entitled "Non-Profit

Organizations Take a Hit, Too...” and the organizations are added on Page 4 (I had to decrease the type size of the contributors’ list to ensure all of the text fits on four (4) pages).

This finalized draft also adds the hyper-link to a Google Document assembled by Betsy Robblee of The Mountaineers (*Thank you!*) which incorporates all the templates and survey responses we received.

Finally, in going back through the document one last time, I noticed we had forgotten to delete a sentence that Nelson Falkenburg had previously requested we delete. I’ve taken care of that.

Chair Ryu wanted the document declared ‘final’ at this point so that she can circulate it by the end of the day today. My understanding is that Rep. Ryu will now be sharing this document broadly with House colleagues and particularly to Members already engaged in budget discussions – with a cautionary flag about protecting critical outdoor recreation resources. I believe she is asking Senator Warnick’s help to do the same in that Chamber.

Again, thanks for everyone’s participation in this joint effort.

Doug Levy, Owner
Outcomes By Levy, LLC
(425)922-3999 – Office/Cell
Doug@outcomesbylevy.onmicrosoft.com (Work)
Levy4@msn.com; Levydtzc@outlook.com (Personal)

Our Request: Preserve Operating, Capital, and Transportation Budget funding that fuels the outdoor recreation sector

“Outdoor recreation spending is vital to the tourism and retail sectors...That industry deserves robust support, especially during the ongoing economic crisis. Its benefits go beyond money into the quality of life that comes from having ample urban parks, forestlands and mountain trails to explore — an effect amplified by months of self-isolation.”

– *Seattle Times* Editorial on Land and Water Conservation Fund (LWCF), June 11, 2020

Recreating outdoors is a cherished way of life for Washington residents, etched into the DNA of many of the 7.8 million residents who call the Evergreen State home. Outdoor recreation is an outlet for activity, for fun, for reflection and respite – all while enhancing our physical health and our quality of life.

Outdoor recreation is big business, too. The kaleidoscope of fields, fishing holes, trails, rivers and lakes, snow-capped mountains, summer festivals and tournaments – and the businesses that provide a gateway to all of them – generate more than \$21 billion in revenue each year and account for over 200,000 jobs across every corner of our state.

Requests of our State Legislators

As we review the financial impacts already absorbed by outdoor recreation agencies and organizations, as we examine the economic toll this takes on tourism and visitation, and as we reflect upon public health and quality-of-life advantages from a sector that is more valued than ever, we urge lawmakers to recognize the benefits of “outdoor rec” by doing the following:

- ***Leave intact operating funds*** for state natural resource agencies and work to restore cuts if possible. The overall \$8.8 billion revenue shortfall the state projects would only *worsen* with further cuts to agencies, non-profits, tourism organizations, and fairs and event centers that draw droves of visitors to Washington State;
- ***Make robust investments in Capital and Transportation budgets*** and grant programs to the maximum extent practicable, which will regenerate the outdoor sector and leverage new jobs and construction activity, build lasting infrastructure, and stimulate economic activity;
- ***Use the lessons learned from the pandemic to reinvest in an outdoor recreation sector*** that generates over \$21 billion in economic activity, employs Washington residents in urban and rural areas like, enhances our public health and quality of life, and brings significant tourism visitors and discretionary dollars to the state we love.
- ***Recognize the equity*** that comes from having outdoor and public lands available to those of all incomes, all races, and all religions. During COVID-19, we saw those living in smaller homes, co-housed in congregate settings, or living in multi-generational households were hit harder by direct and indirect impacts of a pandemic.

COVID-19 Impacts to Outdoor Recreation Agencies, Businesses, Events

The outdoor recreation sector that fuels economic well-being, physical health, and quality of life has suffered devastating losses these last few months, even as the public turns more and more to its outdoor recreation spaces in the midst of a pandemic.

The impacts reverberate far and wide. Metro Parks Tacoma had to lay off 520 part-time workers; both Renton's and Lacey's parks departments furloughed over 100. Rural campgrounds and urban boat-launch ramps went simultaneously quiet. REI temporarily shuttered 162 stores nationwide, and American Heritage Railroads permanently closed the Mount Rainier Scenic Railway and museum that breathed economic life into the town of Elbe. A survey by 57Hours, a company that connects individuals with certified guides for outdoor adventures, found that 92 percent of them have been out of work for three months or more.

Operators have canceled about 80 percent of the summer fairs that draw millions of visitors – and five carnival companies that offer rides at those fairs have gone silent as well. The Grays Harbor Fair and Events Center estimates a \$500,000 reduction in lodging taxes to fund its events. Those running Sea to Ski in Bellingham, WIAA Track & Field events in Yakima, and a Spokane-Coeur d' Alene wood bat tournament in the Lilac City saw a combined 5,550 room nights dry up when those events were cancelled – part of an overall loss of more than 43,000 overnight stays washed out in those three cities alone. Spokane County has experienced a \$21 million loss in tourism revenue as over 35 events went from scheduled to canceled.

These kinds of losses are felt throughout the state. Snohomish County estimates that 318,000 individuals who would have come from 50+ miles to visit the county simply did not – an \$11 million impact. The Wenatchee Valley Chamber of Commerce was relying on the early-April "Triple Crown" baseball tournament to fill nearly 1,800 rooms and induce more than \$600,000 in spending – a cancellation meant it didn't materialize. The Olympic Peninsula Visitors Bureau had projected more than 525,000 participants and an economic impact of nearly \$5.9 million from the array of outdoor events, rides, marathons and more that it hosts. Not this year. The Kittitas Valley Event Center had 180 events canceled and sacrificed nearly \$90,000 in short-term rental income (March-June). And the list goes on.

Short- and Long-term Impacts on State and Local Agencies

The measurable financial impacts to state and local natural resource and parks agencies have been eye-popping as well. To cite a series of them:

- Washington State Parks anticipates a 6-month (March-September) revenue loss of \$19 million at its revenue-generating facilities. The agency laid off 60 non-permanent employees in April after instituting a hiring freeze on 40 full-time positions in March.
- The Department of Fish and Wildlife collected 68 percent less revenue from fishing and hunting licenses this April than it had in April 2019. WDFW, along with other state natural resource agencies, is also identifying positions and programs to cut as part of a 15 percent agency budget reduction exercise directed by the Office of Financial Management (OFM).
- The April 2020 gas-tax revenues that go to the Recreation and Conservation Office for the development and maintenance of boating facilities nosedived nearly \$300,000 from what RCO received in April 2019.
- The Department of Natural Resources saw gas tax proceeds for its contribution to the Non-Highway Off-Road Vehicle Account (NOVA) fall nearly \$350,000 from January-April

2020 projections. Unlike revenue from Discover Passes, which is beginning to rebound, that gas tax revenue is permanently lost and may continue to plummet.

- Pierce County Parks estimates that three-fourths of the \$2 million in earned revenue it budgeted for 2020 – or \$1.5 million – will not materialize. Deep cuts at golf courses, beachfront parks, and sports complexes are the likely result.
- The Vashon Park District cannot afford to hire any seasonal workers.
- The Regional Athletic Complex (RAC) in Lacey, which usually injects about \$4 million into the local community each year, expects its usage and revenues to be cut in half.
- Key Pen Parks, serving 18,000 people on the Key Peninsula, has cancelled several mountain-biking events, a 4th of July social, and two logging shows, meaning thousands of visitors – and the discretionary spending dollars they bring – will not be arriving.
- The Peninsula Metropolitan Park District projects 2020 losses of more than \$500,000 in sales tax, recreation fee, and rental-sales revenue.
- Burien’s Parks and Recreation Department furloughed all 35 of its part-time workers, projects \$500,000 in 2020 cuts, and anticipates a loss of \$277,000 in revenues.

Paired with the short-term financial impacts are the long-term setbacks to keeping up with maintenance of the public lands we love to use. Agencies that already struggled with M&O are dealing with several months of closures, restrictions to access, a loss of volunteers to assist them, and more. The cumulative M&O deficit only worsens.

Non-Profit Organizations Take A Hit, Too – and Disproportionate Impacts to Rural Areas

Beyond the state and local agency budget impacts, the canceled events, and the lost hotel room nights, there are very real impacts to the non-profit organizations that rely on volunteer stewardship and large fund-raising events. The inability to utilize volunteer maintenance on trails has decreased revenue for organizations like The Back Country Horsemen of Washington (BCHWA) and the Washington Trails Association. Grant and contract agreements that comprise large portions of revenues for these organizations have been restructured or have gone unfulfilled, given the cancellation of events during the height of the maintenance season. The Back Country Horsemen estimates it will sacrifice more than \$80,000 in fund-raising revenue that it uses to promote the value of horseback and trail riding. Washington Trails Association’s largest public-facing event, Hike the State, was cancelled.

Meanwhile, the Mountaineers has issued roughly \$300,000 in refunds due to courses being canceled, has experienced another \$150,000 in losses from membership and events revenues, and will not see the \$300,000 it projected from its annual fund-raising gala. The Washington State Parks Foundation canceled its largest fund-raiser of the year associated with the 50th anniversary of Earth Day – an estimated loss of \$150,000. Mountains to Sound Greenway volunteers who normally work on trail maintenance and restoration projects were not able to do so, a loss of 22,119 hours and the equivalent of \$376,023 worth of in-kind labor to land management agencies that could have matched grant funds to care for parks, forests, and trails.

When outdoor recreation activities go away, when discretionary spending dries up, and when dramatic budget cuts occur, the ‘hit’ falls disproportionately on some of Washington State’s smallest, most scenic, and most rural communities. More than 70 percent of the Methow Valley businesses surveyed in that part of the state indicated they were “highly dependent” on the peak-season travels to the Valley’s picturesque trail network. The ice rink in Winthrop, recently named one of the top 10 ice rinks in the West by Sunset Magazine, will see its operating profits melt if skaters, hockey tournaments, and families can’t journey to this Okanogan County town.

Cutbacks Harm Quality of Life, Health – for an Outdoor Sector We Value More than Ever

Major cutbacks and rollback in Washington State’s outdoor recreation sector don’t just take a bite out of state and local economies and our revered quality of life – they harm a preventative public health tool for a sector that provides services ranging from day care to wellness to physical fitness and nutrition to summer camps. An RCO study done last year estimated that trail use alone results in over \$390 million in health savings each year and that outdoor exercise has been demonstrated to restore attention and decrease depression and stress. An Oregon Office of Outdoor Recreation study projected that the statewide *savings* in illness and disease from outdoor activities add up to 3.6 percent of *total* health care costs in the state.

Over and above the numbers, what the COVID-19 pandemic has illustrated, convincingly, is just how much residents of Washington value their parks and trails and open spaces and waterways. DNR reports “a dramatic increase in visitation all over the state in the last three months.” Pierce County estimates “700,000 more users on Foothills Trail” in March 2020 than the parks agency counted the March before. Boating manufacturers and dealers who provide the Discoverboating.com app saw a 128 percent increase in visitors in the first weekend of May 2020 compared to the same May 2019 time frame. Clearly, people are rediscovering the multi-layered benefits of the outdoors in droves during this outbreak.

NOTE: The authors wish to thank a broad-based array of 30 state agencies, local agencies, non-profit organizations, tourism organizations, fairs, and event centers which contributed background information and data to make this document possible. *A list of contributors is below. Please also see the Google document linked [here](#) for further information provided by agencies and organizations and survey results compiled by the Big Tent Outdoor Recreation Coalition.*

Washington State Natural Resource Agencies

*Department of Fish & Wildlife
*Department of Natural Resources

*Washington State Parks & Recreation Commission
*Recreation & Conservation Office

Local Parks & Recreation Agencies

*Burien Parks & Recreation
*Lacey Parks & Recreation
*Peninsula Metropolitan Parks
*Vashon Park District

*Key Pen Metropolitan Parks
*Metro Parks Tacoma
*Pierce County Parks & Recreation

Outdoor Recreation Organizations

*Back County Horsemen of Washington
*Mountaineers
*Northwest Marine Trade Association
*Washington ATV Association
*Washington State Parks Foundation
*Washington Wildlife & Recreation Coalition

*Big Tent Outdoor Recreation Coalition
*Mountains to Sound Greenway Trust
*Recreational Boating Assn. of Washington
*Washington Recreation & Park Association
*Washington Trails Association

Carnivals, Fairs, Tourism Organizations

*Chelan County Expo Center
*Grays Harbor Fair & Events Center
*Paul Maurer Shows
*Washington Tourism Alliance

*Destination Marketing Organizations (DMOs)
*Funtastic, Inc.
*Washington State Fair Association
*Wenatchee Youth Circus



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burienwa.gov

City of Burien 2020 Community Survey: Request for Proposals

Invitation

The City of Burien invites all interested, qualified companies or firms to submit proposals to develop and conduct a community opinion survey. The selected firm will work with staff to create a survey by building on the existing set of survey questions. In the past, the survey was delivered via telephone. This year, we would like to explore other methods of gathering data, including but not limited to an online survey and mailed paper surveys.

Responses to this Request for Proposals will be accepted until 4 p.m. July 22, 2020. It is the sole responsibility of the consultant to ensure that the proposal is received before the submittal deadline listed above. Late proposals will not be considered.

Background

The City of Burien is a growing community with a population of just over 50,000 adjacent to Seattle. The City of Burien has administered a community survey every two years since 2008. The primary objective of the study is to measure residents' satisfaction with the City of Burien, its services, and general quality of life in the City. Findings will benchmark similar studies conducted every two years by the City.

Scope of Services

The selected contractor shall assist a City staff in determining the most cost effective, reasonable, and productive survey methodology to employ. Previous surveys have been telephone surveys to landlines. The 2018 survey included an online option and in-person community outreach. The City is open to any methodology but feels it is important to include mail out surveys and electronic options. The selected contractor shall also advise the City on all aspects of the survey including the proposed quantity of surveys, length of survey, and desired results.

Following selection of an appropriate methodology, the selected contractor will work with the City to determine the acceptability of the recommended survey approach and the content and

the scope of questions to be included therein. Any modifications or revisions to the approach or the questions that may be required shall be completed in a timely manner.

The survey will need to be translated into at least two languages: Spanish and Vietnamese. Non-English responses will need to be analyzed and included in the final analysis. Assuming the acceptability of the survey approach, quantification, and the content and scope of the questions, the selected contractor shall then proceed with the conduct of the survey.

Once the survey has been completed, the contractor shall compile and analyze the results that will be set forth in a final written and electronic report including all illustrative graphs, raw data analysis, and any other information the contractor believes could be beneficial to the City Council. The contractor shall provide the City with ten (10) bound copies of the final report and two (2) reports in electronic format (one in Excel or .csv and one in PDF format). In addition, the Contractor shall give the City Council a presentation outlining the final report.

Proposal should be submitted as soon as possible but no later than 4 p.m. on July 22, 2020. The budget for this contract is not to exceed \$35,000.

Proposed Timeline for Completion of 2020 Community Survey

July 22: Deadline for proposals

August 10: Deadline for proposal review and consultant selection

August 19: Deadline for contract signed with consultant

August 24: Kick-off call with the consultant.

August 25-September 11: Develop survey instrument and outreach strategy.

September 14-October 5: Deploy survey.

October 20: Initial results

October 30: Final results

November date TBD: Presentation of results to Council

Proposal Requirements

Interested contractors shall submit deliverables that clearly demonstrate their ability to provide the services as outlined in this Request for Proposals. The following submittals shall be organized in the order listed below to facilitate fair and equal evaluation of the responses.

- A. **Cover Letter:** A cover letter shall be provided which succinctly explains the contractor's interest in the project. The letter shall contain the name, address, and phone number of the person who will serve as the firm's principle contact with the City and shall identify individual(s) who will be authorized to make presentations on behalf of the firm.
- B. **Methodology:** Describe your firm's preferred process, methodology, and approach for this project. Indicate how your process and approach will accomplish the project objectives.

- C. **Qualifications of Key Personnel:** Submit summarized resumes of all those who will be involved in completing the scope of services. Please include their experience in performing the required and necessary services or functions.
- D. **Firm's Experience and References:** Provide at least three (3) references for completed projects of similar size and scope, including at least two (2) references for projects completed during the past two (2) years. Include the name of the organization, a brief summary of the work performed, and the name and telephone number of the responsible contact person.
- E. **City Responsibilities:** Identify all services that are expected to be provided by the City.
- F. **Cost and Time Required for Services:** Each proposal shall include a fee schedule for services and shall include a not-to-exceed amount for the project.

Award Criteria

The City shall determine whether or not particular consultants have the basic qualifications to complete the project. A committee of selected City employees will evaluate the proposals based on the following criteria:

1. The firm's experience;
2. Qualifications of key personnel that will be assigned to the project;
3. Narrative and project approach;
4. Timeline and completion of each phase meeting the City's goal of completion with a finalized report; and
5. Cost effectiveness.

Selection Process

All respondents must initially represent themselves solely by their written submittal. The City is not responsible for any costs incurred by the consultant in preparation of the proposal. Once submitted to the City, all proposals become public information. After the selection committee has reviewed the proposals, the finalists may be asked to provide a personal presentation on site at the firm's sole expense, or the committee may contact phone interviews. The City reserves the right to not award any portion or all of the project if it finds that none of the proposals submitted will meet the specific needs of the project. Prior to the commencement of work, the selected consultant will be required to sign a professional services contract with the City.

Please email your proposal to:

Emily Inlow-Hood, Communications Officer
emilyi@burienwa.gov
206-512-9840

2021-2022 Budget Calendar – Summary

June 2020

Milestone	Timing
Budget Development	
Budget worksheets distributed to departments	7/6/20
Departments update budget worksheets and potential enhancement requests	7/6/20 - 8/3/20
Finance/Departments hold CIP status meetings and update budget worksheets	7/6/20 - 8/10/20
Finance compiles & reviews budget worksheets	8/4/20 - 8/10/20
Departments prepare 2021-2022 initiatives and 2019-2020 accomplishments	7/28/20 - 8/31/20
Council Presentation - Long Range Forecast	8/17/20
City Manager Proposed	
City Manager & Finance reviews budget requests with Departments	8/13/20 - 8/21/20
City Manager determines budget requests; Finance finalizes budget requests	8/24/20 - 8/28/20
Finance prepares preliminary budget document	8/31/20 - 9/30/20
Council Review	
Council Presentation - Preliminary Operating Budget	10/5/20
First public hearing on revenue sources/expenditures	10/19/20
Council Presentation - Preliminary CIP Budget	10/19/20
Council Presentation - Department Presentations	10/26/20
Second public hearing on revenue sources/expenditures	11/2/20
Council Discussion - Preliminary Operating & CIP Budget follow-up	11/2/20
Council Discussion - Property Tax Levy	11/2/20
Council Discussion - Proposed SWM Fees	11/2/20
Council Action - Property Tax Levy Adoption <i>(Statutory deadline is Nov 30)</i>	11/16/20
Council Action - SWM Fees Adoption <i>(Statutory deadline is Dec 1)</i>	11/16/20
Council Discussion - Budget Ordinance	11/16/20
Third & final public budget hearing	12/7/20
Council Action - 2021 Financial Policies Adoption	12/7/20
Council Action - Budget Ordinance Adoption <i>(Statutory deadline is Dec 31)</i>	12/7/20



City of Burien
400 SW 152nd Street
Suite 300
Burien, WA 98166-1911

P 206.241.4647
F 206.248.5539

burienwa.gov

Burien

Sent via First Class Mail and
Electronic Mail to Dave.Upthegrove@kingcounty.gov

June 25, 2020

Councilmember Dave Upthegrove
King County Council
516 Third Avenue, Room 1200
Seattle, WA 98104

Dear Councilmember Upthegrove:

Please see the attached Resolution No. 432, adopted by the City Council of the City of Burien, Washington on June 15, 2020. This Resolution calls on Governor Inslee and the King County Council to place a limit on third-party delivery drivers' income.

Furthermore, Resolution No. 432 of the Burien City Council calls on Governor Inslee and members of the King County Council — specifically Councilmember Rod Dembowski, Councilmember Girmay Zahilay, Councilmember Kathy Lambert, Councilmember Jeanne Kohl-Welles, Councilmember Dave Upthegrove, Councilmember Claudia Balducci, Councilmember van Reichbauer, Councilmember Joe McDermott, and Councilmember Reagan Dunn — to consider action to limit the commissions and fees that third-party, app-based food delivery platforms charge to restaurants for the use of its services to no more than 15% of the purchase price of such online order until restaurants are allowed to offer unrestricted dine-in service in accordance with the Stay Home, Stay Health Civil Emergency Order.

Brian J. Wilson
City Manager

Megan Gregor
City Clerk

Thank you for taking the time to read this Resolution and for your support in this matter.

Sincerely,

Carol Allread

From: Carol Allread
Sent: Tuesday, June 30, 2020 1:15 PM
To: Carol Allread
Subject: CM Upthegrove Response to City of Burien Letter

From: Upthegrove, Dave <Dave.Upthegrove@kingcounty.gov>
Sent: Friday, June 26, 2020 11:36 AM
To: Carol Allread <carola@burienwa.gov>
Cc: Brian Wilson <BrianW@burienwa.gov>; Megan Gregor <MeganG@burienwa.gov>
Subject: Re: Letter from City of Burien

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Brian et all--

Thanks for the letter sharing the Burien City Council's request for county action to regulate commissions and fees of third-party app-based food delivery platforms.

After checking with our attorneys and with the Seattle-King County Public Health Department, I have concluded that the Seattle-King County public health officer does not have the authority to use an emergency public health order to do this, given that the nexus to protecting public health is not adequate.

Apart from the unique authorities state law grants to local public health departments, King County only has regulatory jurisdiction in unincorporated areas-- so if the King County Council were to pass an ordinance to regulate this business practice, it would not benefit Burien businesses. In fact, it could have the opposite effect by advantaging businesses in neighboring White Center.

So unfortunately I think State action is your only pathway. If I can be helpful, please let me know.

Best,
Dave

From: Carol Allread <carola@burienwa.gov>
Sent: Thursday, June 25, 2020 3:12 PM
To: Upthegrove, Dave <Dave.Upthegrove@kingcounty.gov>
Cc: Brian Wilson <BrianW@burienwa.gov>; Megan Gregor <MeganG@burienwa.gov>
Subject: Letter from City of Burien

Good Afternoon Councilmember Upthegrove,

Please find attached a letter from City Manager Wilson and City Clerk Gregor.

Best Regards,

Carol Allread
Executive Assistant

City of Burien

(206) 248-5508 office

Carola@burienwa.gov

Burienwa.gov

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.



STATE OF WASHINGTON
DEPARTMENT OF REVENUE

June 29, 2020

Eric Christensen
City of Burien
400 SW 152nd St Ste 300
Burien WA 98166-1917

Annexation Tax Service Credit

Dear Mr. Christensen:

In July 2010 the City of Burien imposed the annexation tax authorized by Revised Code of Washington (RCW) 82.14.415. The tax will expire on June 30, 2020.

The Department of Revenue has reviewed Revised Code of Washington (RCW) 82.14.415 in regards to the expiration of the Annexation Tax Service Credit. The Department will discontinue the distribution to the City of Burien with the June 2020 accumulation period. This means you will receive distribution in July and August 2020 if your cap has not been met. If your cap has been met, you will not receive distribution for these periods.

Please feel free to contact me if you have any questions.

Sincerely,

Jessica Hicks
Tax Administration Manager
Department of Revenue
(360) 705-6039

TERMINATION OF CONSULTANT AGREEMENT

THIS TERMINATION OF CONSULTANT AGREEMENT (“Agreement”) is entered into as of 3 June, 2020 (the “Effective Date”), by and between Philips Publishing LLC, a Washington limited liability company (hereinafter the “Consultant”), and the City of Burien, Washington (hereinafter “Burien”). Consultant and Burien may be generically referred to herein individually as “Party” or collectively as the “Parties.”

WHEREAS, Consultant and Burien entered into that certain Consultant Agreement dated 2 January 2020 (“Consulting Agreement”);

AND, WHEREAS, Consultant and Burien have decided to terminate the Consulting Agreement now desire to enter into a global termination of the Consulting Agreement that fully and finally settles any and all matters between them, whether known or unknown, arising out of or in any way relating to the Consulting Agreement;

NOW, THEREFORE, in consideration of the mutual promises, releases, and benefits contained in this Agreement, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

- 1. Termination.** The Parties hereby confirm and agree that the Consulting Agreement is terminated in its entirety as of the Effective Date of this Agreement. Both Parties agree that the termination of Consulting Agreement is by mutual consent of the Parties and hereby waive any notice requirements for termination thereunder.
- 2. Mutual Release & Waiver of Claims.** Except for the rights and obligations set forth in this Agreement, and except for those rights and obligations set forth in the Consulting Agreement that expressly survive the expiration or termination thereof, each Party does hereby WAIVE, RELEASE, ACQUIT AND FOREVER DISCHARGE the other Party from any and all claims, disputes, demands, debts, sums of money, damages, promises, obligations, contracts, agreements, actions, causes of action, suits, attorneys’ fees and/or costs, liabilities or losses, of any kind and nature whatsoever, whether known or unknown, foreseen or unforeseen, that such Party now has against the other or which may hereafter accrue to them from the other Party, whether grounded in law or in equity, in contract or in tort, arising from or in any way relating to the Consulting Agreement or any goods or services provided thereunder.
- 3. Successors.** This Agreement shall be binding upon, and shall inure to the benefit of, the Parties and their respective agents, affiliates, assigns, attorneys, directors, employees, governors, heirs, insurers, managers, members, officers and official (appointed and elected), principals, representatives, subsidiaries, successors, sureties, and volunteers.
- 4. Resolution of Disputes; Governing Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. If any dispute arises out of or in connection with this Agreement, including any question regarding its existence, enforceability, interpretation, or validity, the Parties will, if practicable, meet and confer in good faith for a period of fourteen (14) calendar days to attempt to resolve such dispute without an adversary proceeding. If at the end of the fourteen (14) calendar day period such attempt at resolution is unsuccessful, the parties may resort to litigation. The exclusive venue for any litigation arising out this Agreement shall be the King County Superior Court. The substantially prevailing party in any such litigation shall be entitled to an award of its reasonable attorneys’ fees.

MS
6/9/20

5. **No Admission.** This Agreement shall not be considered as an admission of liability, wrongdoing or anything improper on the part of any Party.

6. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, all of which together shall constitute one instrument.

7. **Fair Construction.** The Parties each acknowledge that in executing this Agreement they have carefully reviewed and had the opportunity to review the terms of this Agreement with counsel of their choice and are fully aware of the extent of their rights and obligations under this Agreement. The Parties further agree that this Agreement has been mutually negotiated and drafted and shall not be construed presumptively against any Party.

8. **Entire Agreement.** This Agreement contains the entire understanding of the Parties, and there are no representations, warranties, covenants, or undertakings other than those expressly set forth herein. All prior and contemporaneous negotiations and agreements are deemed incorporated and merged into this Agreement and are deemed to have been abandoned if not so incorporated. No representations, oral or written, are being relied upon by either Party in executing this Agreement other than the express representations of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above:

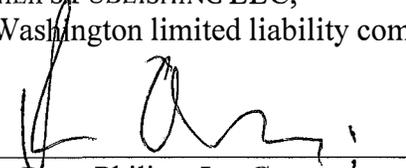
BURIEN:

CONSULTANT:

CITY OF BURIEN, WASHINGTON

PHILIPS PUBLISHING LLC,
a Washington limited liability company

By: Brian J. Wilson, Burien City Manager



By: Peter Philips; Its: Governor

6/9/20

Carol Allread

From: Carol Allread
Sent: Tuesday, June 30, 2020 11:31 AM
To: Carol Allread
Subject: FW: CM Report Item 7/06: MultiCare Update - June 18, 2020

From: Mary K McManus [<mailto:mmcmanus@multicare.org>] **On Behalf Of** Ingrid Gourley Mungia
Sent: Thursday, June 18, 2020 4:44 PM
To: Ingrid Gourley Mungia <igourleymungia@multicare.org>
Subject: MultiCare Update - June 18, 2020

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Update to Elected Officials June 18, 2020

While COVID-19 continues to impact our communities, MultiCare is returning to more normal operations. The work happening across the system as we continue to manage this virus has become, by and large, part of our day-to-day work.

For this reason, we will be evolving our COVID-19 communication to elected officials to a monthly update that encompasses a broader range of topics — to include COVID-19 updates, as necessary.

CEO Message: MultiCare’s commitment to addressing racism and injustice

The significant unrest and protest activity that resulted from the recent deaths of George Floyd, Breonna Taylor, Ahmaud Arbery, Manuel Ellis and others, have prompted many individuals and organizations to more deeply examine racism and injustice in our country, our communities and ourselves.

MultiCare’s President and CEO Bill Robertson reached out to MultiCare employees on June 8 to address this topic and outline some of the early steps MultiCare planned to take to “create an organization where racism, injustice, discrimination, and violence have no place, and where all of us are fully valued and included.”

Bill also shared the following thoughts with the public:

The senseless killing of George Floyd on May 25, and the many other such unnecessary acts of violence against black members of our communities, are stark evidence of the horrible consequences of the racism and injustice that have long been part of our society.

Watching these events unfold, I have been profoundly reminded that my life’s experiences have inadequately prepared me to understand the lived experience of my team members who are black or in another minority group and with whom I am privileged to associate and serve.

The events of the past week have reinforced the need for MultiCare to enhance our commitment to addressing inequities in our communities and in our own organization. We believe everyone deserves the same opportunities to live a healthy life without racism, injustice, discrimination, and violence.

Because of this, it is essential that I, as an individual, and MultiCare, as an organization, listen to the voices of lived experiences of our employees so that together we can seek to provide the best care for all of our patients and create an organization where racism, injustice, discrimination, and violence have no place, and where all of us are fully valued and included.

We must confront these issues directly, acknowledge the problems that exist and talk openly — in a manner consistent with our values — about solutions.

Specific actions MultiCare is taking now to help our organization on this journey toward solutions include:

- ***Holding a Vigil of Silence:*** *Two weeks ago, at 6:17pm PDT, the events that led to George Floyd being killed by Minneapolis police officers were unfolding. On Monday, June 8, we invited MultiCare employees to join together at 6:17pm in 8 minutes and 46 seconds of silence to honor the memory of George Floyd and all those who have lost their lives due to racism and injustice.*
- ***Inviting Feedback:*** *While we have declared our intent to have interactions that are free from discrimination and harassment, we also know that MultiCare still has work to do to end structural racism. We've heard from employees and patients that there's a desire for more conversation and better understanding about what we can do, and so we've asked employees to submit their thoughts to a designated email inbox, or to myself directly. This input will be used to help us shape the next steps we will be taking as we move through this challenging time together. Topics we are seeking to learn more about include:*
 - *What is your experience as a MultiCare employee?*
 - *What are your ideas to improve the patient or employee experience?*
 - *How can MultiCare be a better advocate for change?*
 - *What other suggestions do you have for us?*
- ***Hosting Listening Sessions:*** *We will provide opportunities for dialogue through virtual town hall meetings we'll be scheduling for employees where we can discuss issues of racism and injustice as we all work to be part of the solution. We'll use these conversations to identify places where structural racism is present and create solutions.*
- ***Convening an Advisory Group:*** *We are creating an advisory group made up of front-line team members to review employee feedback and suggestions and help MultiCare create a better future.*
 - ***Supporting Peaceful Advocacy:*** *We support peaceful advocacy in our communities and on our campuses. This is a time when many of us want to advocate for change and call attention to the health implications of structural racism and we are encouraging our employees to discuss ideas with their supervisors if they have department-level events they would like to organize.*
 - ***Committing to Further Engagement:*** *We are committed to continue to engage with our team members and our communities and to further develop plans that help us successfully navigate toward a more just and equitable future.*

As we work together as an organization to be part of the solution, we will always act in harmony with and in the context of MultiCare's Mission, Vision, Values, and Strategies; our Standards of Conduct; and our Policies and Procedures. And, we will listen, evaluate, and adjust these as necessary.

We recognize that as a human organization, perfection is not possible, and that this journey towards a more just and equitable future requires intentional commitment.

Finally, as a non-profit organization, we are stewards of the important community resource that is MultiCare. We are and will always seek to act in a manner that preserves our organization's capacity to meet the needs of all our team members, patients, and communities.

My thanks to the communities we serve that are also stepping up and taking on this difficult work. It will take all of us working together to effect change.

MultiCare's work to re-engage patients in their care continues

In our last update, we shared recent survey results conducted through MultiCare's Marketing Department that showed that the majority (56 percent) of people in the organization's service areas is currently Very Likely or Somewhat Likely to delay non-emergency care due to ongoing safety concerns related to COVID-19.

The organization's efforts to help re-build the community's confidence in the safety of health care facilities and that individuals and families in the communities we serve are getting the care they need to get and stay healthy continues. Updates on our ongoing initiatives include:

- **Letters to the community series:** MultiCare is developing and publishing a series of letters to the community from organization leaders to address important topics, such as not delaying care and why it is safe to get care at MultiCare. The first letter, "Don't delay needed care," signed by David Carlson, DO, MultiCare's Chief Physician Officer, began publishing in media outlets June 7, 2020. You may reach his letter in its entirety on MultiCare's [Vitals blog](#). The second letter, addressing patient safety, will come from a number of MultiCare's hospital presidents and is scheduled to begin publishing the week of June 21.
- **Video: "Keeping you safe while we get you well":** MultiCare recently produced a video for the public that provides an overview of the extra steps the organization is taking to help ensure patient and visitor safety in all MultiCare facilities as we all continue to take precautions to limit exposure to the COVID-19 virus. The video has been published to MultiCare's website and shared across the organization's major social media channels. [Watch the video](#) now.

MultiCare's path to financial recovery continues

MultiCare is pleased to report that the organization is on the path to financial recovery, but there is more work to do. Some recent highlights shared with organization leaders include:

- The organization experienced an \$11.3 million operating loss in May, which is better than our projected \$33-34 million loss.
- MultiCare's Finance team expects that our cost-savings initiatives will help get the organization back to positive earnings in June.
- Admissions are still below target, but better than the last couple of months.
- Emergency department volumes are still down.
- Inpatient and outpatient surgeries are almost back to normal volumes.
- Almost \$90 million in savings have been identified across the system, with a needed \$71.3 million more in savings over the year to reach the organization's goal of \$160 million in savings.

Thank you for your ongoing support for health care in our communities. If you have questions about these updates or wish to discuss other health care topics in more detail, please reach out to Ingrid S. Gourley Mungia, Executive Director, Government Relations, at 253-310-1077 or igourleymungia@multicare.org

Ingrid S. Gourley Mungia | Executive Director

Government Relations | MultiCare

Phone: 253.403.7358 | **Cell:** 253.310.1077

Address: 820-5-GOV, [820 A Street, Fifth Floor, Tacoma, WA 98402](#)

Mailing: PO Box 5299, 820-5-GOV, Tacoma, WA 98415

COVID-19 Public Health Emergency – Response & Relief City Legislative Priorities

Washington cities and towns have a unique role to play in responding to any emergency and they have been particularly involved in keeping their communities safe during the COVID-19 public health emergency.

Cities and towns have been impacted significantly due to costs for emergency response and loss of revenue from the dramatic impact the emergency has had on our State's economy. Regardless of these impacts, cities and towns are committed to partnering with the State to keep our communities safe during this unprecedented challenge.

As the Legislature considers necessary actions to address the impacts of COVID-19 on our state, we ask that priority be given to support for cities and towns in the following areas:

- **Financial support**
 - Maintain critical state shared revenues that provide funding for essential public services.
 - Provide fiscal relief to cities hard hit with costs for emergency response and loss of tax revenue.
- **Fiscal flexibility**
 - Provide flexibility within existing restricted revenues to allow cities to use funds where they are most needed right now.
- **Regulatory relief**
 - Continue the emergency action taken by the Governor to provide flexibility on regulatory requirements and statutory deadlines. Cities hard hit by this emergency may still be experiencing staffing shortages and back-logs that will impact their ability to comply with typical statutory deadlines and meet regulatory requirements.
- **City-owned utility support**
 - Allow city-owned utilities that have waived late fees and shut-offs to extend their ability to collect outstanding debt so that they can work with rate-payers on payment plans without impacting the financial viability of the utility or raising rates on other customers.
 - Provide funding to help offset losses related to forgiving late fees and delinquent accounts for those customers hard-hit by the emergency.
- **Economic stimulus**
 - Investing in public infrastructure projects is one of the best ways to support economic stimulus as infrastructure projects have a positive economic multiplier with the creation of family-wage jobs and supporting increased economic activity.

Cities also support efforts to help the most vulnerable residents and our small businesses

- Cities support programs to provide emergency rental assistance and emergency housing.
- Cities support programs to provide emergency assistance to small businesses.

The proposed priorities are fairly broad - listed below are some additional specifics.

Fiscal flexibility proposals:

- Criminal justice sales taxes

- Cities and counties levy criminal justice sales taxes that are shared via a distribution formula and must be used for criminal justice purposes. Cities would like to be able to use those funds for any emergency response costs with the maximum flexibility.
- Lodging sales tax and tourism promotion fees
 - Cities can levy a local lodging sales tax and per-room tourism promotion fee, but those funds are restricted primarily to efforts to promote tourism. During this emergency, cities would like approval to use those funds for response efforts, such as providing emergency shelter or quarantine housing.
- Affordable housing sales tax credit (HB 1406 funds)
 - Cities would like flexibility to use these resources for COVID-19 quarantine and isolation needs, and to replace lost homeless shelter capacity due to social distancing within shelters.
- Real Estate Excise Taxes (REET)
 - These revenues are primarily dedicated to capital investments. We urge that cities be allowed to repurpose those funds for short-term emergency needs.
- Property tax levy lid lifts
 - Cities with voter-approved levy lid lift authority to increase their property tax above the one percent limit have non-supplanting requirements on the use of those funds. Provide more flexibility for use of these local funds by eliminating the non-supplant restrictions.
- Interfund loans
 - Cities may have reserve funds for specific purposes and can (under certain circumstances) provide themselves interfund loans to the city general fund. Cities would like maximum flexibility to use this existing tool without resulting in an audit finding.

New revenue proposals:

- Revising the 1% property tax cap

Regulatory relief proposals:

- Open Public Meetings Act requirements
 - In order to ensure access to open public meetings while protecting public health, we will need to continue temporary modifications to the Open Public Meetings Act to continue to accommodate social distancing.
- Frequency of local audits
 - For jurisdictions with a clean audit history, temporarily reduce the frequency of state audits and the associated billing costs, as the state did in response to the recession a decade ago.
- Toll or temporarily suspend permitting review and approval requirements

Several land use and permit review statutes include deadlines and public meeting requirements that will likely not be achievable in the current emergency. There are many other statutes with related deadlines; a blanket suspension on land use statutory deadlines may be appropriate.

 - RCW 58.17.095 (public hearing on the proposed subdivision shall be held if any person files a request for a hearing within 21 days of the publishing of notice)
 - RCW 58.17.140 (preliminary plats shall be approved, disapproved, or returned to applicant for modification/correction within 90 days from date of filing, final plats within 30 days)
 - RCW 36.70B.070 (project permit applications (28 days), notice to applicant)
 - RCW 36.70B.080 (development regulations requirements (120 days to process a completed permit application subject to damages))
 - RCW 36.70B.110 (notice of application, public comments, hearing, appeal deadlines)

Economic stimulus proposals:

- Infrastructure funding via the PWTF and other infrastructure programs like CERB.
- Tax Increment Financing – however, with the need for a constitutional amendment this is unlikely to be successful in a special session and may be more of an opportunity to continue educational efforts to generate support for 2021.

TO: Brian Wilson, City Manager, Burien

FM: Mike Doubleday, Federal Relations

RE: **June 2020 Federal Update**

Congress was mostly in session in June, with some members, especially in the House, working remotely from their districts. It was a busy month with passage of the Land and Water Conservation Fund (LWCF), known as the Great American Outdoors Act, that provides billions for maintenance in national parks, a House committee “mark-up” of the Surface Transportation Reauthorization Act (the Invest Act), essentially an infrastructure bill, and Congressional consideration of a police reform bill.

As we are halfway through 2020, I am providing a mid-year update on our 2020 Federal Legislative Priorities. I add two other issue updates at the end of this report.

Burien 2020 Federal Legislative Priorities

Reduce Airport Noise and Emissions

- Rep. Smith’s “Aviation Impacted Communities Act,” **H.R. 2351**, was introduced this spring and sent to the House Transportation and Infrastructure Committee’s Aviation Subcommittee chaired by Rep. Rick Larsen of Washington’s 2nd Congressional District. The bill creates Community Boards so that citizens can more productively engage with the FAA. The committee has been focusing on the Surface Transportation Reauthorization Act (the INVEST Act) this spring, so H.R. 2351 hasn’t moved.

- In April, the FAA sent to Congress its' report on sections 173 and 188, mandated studies in the 2018 FAA Reauthorization Act – the evaluation of alternative noise metrics to the current average day-night noise level standards around airports. We received the report in June. The report is technical but appears to conclude that the current DNL standard is the correct metric to use in evaluating airport noise to surrounding communities. **The report is attached.** I will delve into the report in more depth next month.
- The 2018 FAA Reauthorization Act's mandated study "evaluating the health impacts of aircraft noise on residents around airports was begun earlier this year. The study, by Boston University and Harvard, includes Seattle, and should be completed in about two years.
- Councilmember Tosta and Aragon, Brian, and I have had a number of calls with Congresswoman Jayapal's office regarding a congressional letter to the FAA requesting a "cumulative impact" study of the SAMP.

Climate Action

- Officials have settled on a new date for the next **U.N. Climate Change Conference** that was postponed because of the coronavirus pandemic. The COP26 global climate talks will take place from November 1 - 12, 2021 in Glasgow, Scotland. The presidency of the conference will be shared by representatives from the United Kingdom and Italy.

- A group of 23 U.S. states and the District of Columbia filed a lawsuit on May 27 challenging a Trump administration decision to weaken Obama-era **fuel efficiency standards**.

In March, the administration issued final rules requiring 1.5% annual increases in vehicle fuel efficiency through 2026, weaker than the 5% increases set under former President Barack Obama.

Additionally, twelve environmental groups including the Environmental Defense Fund, Sierra Club, and Union of Concerned Scientists also sued over the rules.

Sustainable Airport Master Plan (SAMP) Mitigation Funding

As mentioned above, the City has been working with Congresswoman Jayapal's office regarding a delegation letter to the FAA asking that a "cumulative impact" analysis be conducted as part of the SAMP.

Support Federal Funding for Housing and Homelessness Programs

In March, Congress passed the **CARES ACT** which included the following housing and homeless grants to states and local governments:

- Community Development Block Grants (CDBG): \$5 Billion; of that amount, \$2B is direct allocation to states and local governments through the regular program formula within 30 days of enactment; \$1B to states within 45 days of enactment; the remaining \$2B allocated by HUD to state and local governments based on need.
Burien received \$290,309 in the first \$2B allocation of these funds.
- Homeless Assistance Grants: \$4B; of that amount, \$2B allocated by formula to current grantees within 30 days of enactment; the

remaining \$2B to be allocated based on a formula developed by HUD within 90 days of enactment.

- Tenant-Based Rental Assistance: \$1.25B
- Project-Based Rental Assistance: \$1B

The House-passed **HEROES ACT** included the following funding:

- CDBG: \$5B
- Homeless Assistance Grants: \$11.5B
- Tenant-Based Rental Assistance: \$4B
- Emergency Rental Assistance: \$100B
- Assistance to Homeowners: \$75B to address ongoing needs of homeowners struggling to afford housing by assisting with mortgage payments, property taxes, utilities, and insurance.
- Low Income Home Energy Assistance Program (LIHEAP): \$1.5B

The Senate has not taken up the HEROES Act, though there may be a third virus relief package in July.

Federal Gang Prevention and At-Risk Youth Funding

While I didn't see specific funding for these areas in the CARES Act, some related funding was provided:

- Education Stabilization Fund: \$30.75B for schools, additional technology to enable distance learning, as well as provisions directing funds to the impacted school districts.

- \$750M for Head Start Programs.

Infrastructure

The House passed its Surface Transportation Reauthorization Act (the INVEST Act) out of committee in mid-June. The bill adds a new population band – urbanized areas of the state with populations between 50,000 and 200,000 – to the categories the PSRC (Metropolitan Planning Organizations around the country), annually funds in its’ Surface Transportation Program (STP). Additionally, Rep. Larsen’s office told me the STP would receive additional funds nationwide increasing the opportunities for cities like Burien to receive funds.

Rep. Larsen submitted an amendment during the House committee “mark-up” of the bill, that “directs the Secretary [of USDOT] to dedicate at least 30 percent of the fiscal 2020 appropriation for BUILD grants to cities with populations between 10,000 and 75,000 whether or not they are classified as part of an urbanized area.” This amendment to the BUILD grants, the successor to the TIGER CUBS” idea was supported by numerous cities in Washington but was not adopted by the committee. Rep. Larsen intends to offer the amendment during HOUSE floor debate on the bill, expected to occur in early July.

If the House passes the INVEST ACT, presumably a conference with the Senate will convene to craft a bill that can pass both houses (earlier this year the Senate passed their own transportation reauthorization bill). The revenue sources for the bill have not been identified, and significant differences exist between the two parties over climate changes provisions in the House bill.

The House bill authorizes \$494 billion; the current 6-year transportation bill, the FAST Act, authorized \$287 billion. The FAST Act expires September 30.

Burien Public Works Projects

The reauthorization of the surface transportation bill, discussed above, may provide Burien with additional opportunities to fund some of the cities' projects.

Gun Violence

The final Health and Human Services (HHS) FY 2020 budget included \$25M for "Firearm Injury and Mortality Prevention Research" - \$12.5M each to the Center for Disease Control (CDC) and the National Institute of Health (NIH). This is the first time in many years that the federal government has funded gun violence research. There have been privately funded gun violence studies in recent years.

Immigration

As has been widely reported, the U.S. Supreme Court, in a 5-4 decision in June, blocked the Trump administration from ending the DACA (Deferred Action for Childhood Arrivals) program that allows nearly 650,000 young, undocumented immigrants to live and work in the USA without fear of deportation.

"Chief Justice John Roberts, who wrote the majority opinion, called the Department of Homeland Security's action "arbitrary and capricious," therefore unlawful."

"We do not decide whether DACA or its rescission are sound policies," Roberts said. "We address only whether the agency complied with the procedural requirement that it provide a reasoned explanation for its action. Here the agency failed to consider the conspicuous issues of whether to retain forbearance and what if anything to do about the hardship to DACA recipients."

In June 2019, one year ago, the House approved an immigration bill, the **DREAM and Promise Act of 2019**, by a vote of 237 to 187 with six Republican votes.

The National Immigration Law Center (NILC) an immigration advocacy group, published the following short summary of **H.R. 6** after its' House passage.

The Dream and Promise Act of 2019, **H.R. 6**, would establish a roadmap to U.S. citizenship for (1) immigrant youth and (2) current or potential holders of (a) temporary protected status (TPS) or (b) deferred enforced departure (DED). H.R. 6 would provide conditional permanent resident (CPR) status and a roadmap to lawful permanent resident (LPR) status and, eventually, U.S. citizenship for immigrant youth who entered the United States before age 18, have four or more years of residency, and graduated from high school (or the equivalent). The bill also would provide an opportunity for people who currently have or who may be eligible for TPS or DED and have three or more years of residence in the U.S. to apply for LPR status and, eventually, U.S. citizenship.

The Senate has not taken up the measure.

Opportunity Zones Extension

A bill was introduced in the Senate to extend the Opportunity Zone program beyond its' present end date of December 31, 2026. Since funds must be invested for seven years to receive the maximum capital gains tax

benefits, the December 31, 2019 deadline seemed to be approaching too quickly for program supporters. The Senate bill did not advance.

Salmon Recovery Funding

As mentioned in May's update, two positive events have occurred recently:

- a letter was sent by all 12 Washington federal delegation elected officials (the 2 Senators, and 10 House of Representatives members) to the Corps of Engineers supporting the downstream fish passage facility at the Dam.
- \$3M was included in the Corps FY 2020 budget to redesign the fish passage facility at the Dam and provide a cost update.

This is the first movement on the fish passage facility in about a decade. Once the Corps' update is complete, perhaps in a year or two, Tacoma Public Utilities (TPU), the non-federal sponsor of the Dam fish passage project, and other local agencies will seek the tens of millions in federal funds for the full fish passage project.

The Council approved a thank-you letter to the Washington delegation in June, being organized by TPU.

Other Issue Updates

1. Coronavirus Update

As reported in the May federal update, the House passed the Health & Economic Recovery Omnibus Solutions Act (HEROES Act) on May 15. The bill is estimated to cost about \$3 trillion.

The HEROES Act includes a number of provisions supported by Burien including the following:

- \$250 billion awarded within 30 days of enactment to all municipalities and counties,
 - \$125B to municipalities using a modified CDBG formula, with \$87.5B of that amount to “entitlement” municipalities (generally defined as those with populations of at least 50,000).
- \$125B awarded one year after the enactment of the bill to municipalities and counties,
 - \$62.5B to municipalities using a modified CDBG formula, with \$43.7B to entitlement municipalities with populations of at least 50,000.
- Tax credits for local government for sick and family leave.

A late-June publication by the House Speaker’s Office estimated the HEROES ACT benefits for all communities in the country. The spreadsheet estimated that the HEROES ACT would send about \$17M to Burien in 2020 and \$8.5M in 2021.

The Senate has yet to take up the measure, but since Congress will be in recess for most of August, there may be another pandemic relief package by the end of July. Senate Majority Leader McConnell has indicated he would prefer a smaller package, in the \$1trillion range.

2. **Great American Outdoors Act S.3422 amended onto H.R 1957**

This bill establishes the National Parks and Public Land Legacy Restoration Fund to support deferred maintenance projects on federal lands.

For FY2021-FY2025, there shall be deposited into the fund an amount equal to 50% of all federal revenues from the development of oil, gas, coal, or alternative or renewable energy on federal lands and waters. Deposited amounts must not exceed \$1.9 billion for any fiscal year.

The fund must be used for priority deferred maintenance projects in specified systems that are administered by

- the National Park Service,
- the Forest Service,
- the U.S. Fish and Wildlife Service,
- the Bureau of Land Management, and
- the Bureau of Indian Education.

The bill requires the Government Accountability Office to report on the effect of the fund in reducing the backlog of priority deferred maintenance projects for the specified agencies.

Additionally, the bill makes funding for the Land and Water Conservation Fund (LWCF) permanent.



Federal Aviation
Administration

Report to Congress

FAA Reauthorization Act of 2018 (Pub. L. 115-254) Section 188 and Sec 173

April 14, 2020

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1. Introduction

Since its inception, the Federal Aviation Administration (FAA) has worked to better understand, quantify, and address noise concerns from aircraft. As part of this effort, various noise metrics have been developed over several decades of research to inform federal policies. As will be discussed in this report, no single metric can cover all situations due to the dynamic acoustical and operational characteristics of aviation noise. The appropriate use of noise modeling and noise measurement will also be reviewed and the context in which each are applicable are discussed.

Congress directed an evaluation of alternative metrics in Senate Appropriations Report 116-109 (pg. 42) for fiscal year 2019 and the FAA Reauthorization Act of 2018 (Pub. L. 115-254) requested the FAA to provide this report in response to **Sec. 188: Study regarding day-night average sound levels. Within 1 year the Administrator shall evaluate alternative metrics to current average day-night level standard, such as use of actual noise sampling to address community airplane noise concerns.**

While not directed to include in a report, the information contained in this document also fulfills the FAA's response to **Sec. 173: Alternative airplane noise metric evaluation. Within 1 year complete the ongoing evaluation of alternative metrics to the current Day Night Level (DNL) 65 standard.**

2. Purpose of Noise Metrics for Environmental Regulation and Policy

This section introduces the topic of noise and the FAA's use of noise metrics for environmental regulation and policy. "Noise" is defined as unwanted sound. The term "noise metric" refers to a type of noise measurement or noise descriptor. Sound itself is a complex phenomenon, which varies in level over time as well as frequency content.¹ Therefore, many noise metrics exist in order to capture and include the various aspects of sound; no single noise metric can cover all situations. The FAA uses noise metrics for two primary purposes:

1. To assess community noise exposure through requirements under the National Environmental Policy Act (NEPA) and other related noise programs like 14 CFR Part 150.
2. To assess aircraft certification through 14 CFR Part 36.

The noise metrics used for each of these purposes are different as they address different characteristics of noise as will be described below.

2.1 Community Noise Exposure

Community responses to noise vary from person to person, even if noise levels do not change. However, changes in noise exposure affect individual and community responses, and substantial increases in man-made noise can have a negative impact. Consequently, it is

¹ Frequency content refers to the timbre of a sound, often comprised of a collection of pitches, or frequencies.

important to understand which characteristics of noise cause a negative response and how exposure to noise with those characteristics affects people's lives.

In order to reflect human response to sound equitably across communities, a meaningful metric or set of metrics should:

- Have a highly reliable relationship between noise exposure and people's response to noise.
- Consistently be applied uniformly in communities surrounding airports.
- Account for noise level, duration, and time of occurrence.

The Day-Night Average Sound Level (DNL) incorporates all of these elements and is the metric FAA uses to inform environmental decision making for noise.

As stated in the previous section, "noise" is unwanted sound in a community. However, individual expectations regarding noise may vary based on different factors, including whether the community is in a quiet rural area or a bustling downtown city. For example, a new, potentially intrusive noise may generally be more noticeable in a quiet rural area compared to an urban environment, even though the overall noise levels can be higher in an urban environment. Thus, the ambient (or background) sound level affects how people perceive new noise sources. "Ambient" sound is defined as the existing acoustic environment to which a potential intrusive sound is being compared. Figure 1² shows typical existing ambient sound levels (i.e., Day-Night Average Sound Level [DNL]; see Section 3 for a discussion of DNL) ranging from a "small town residential area" to a "downtown city."

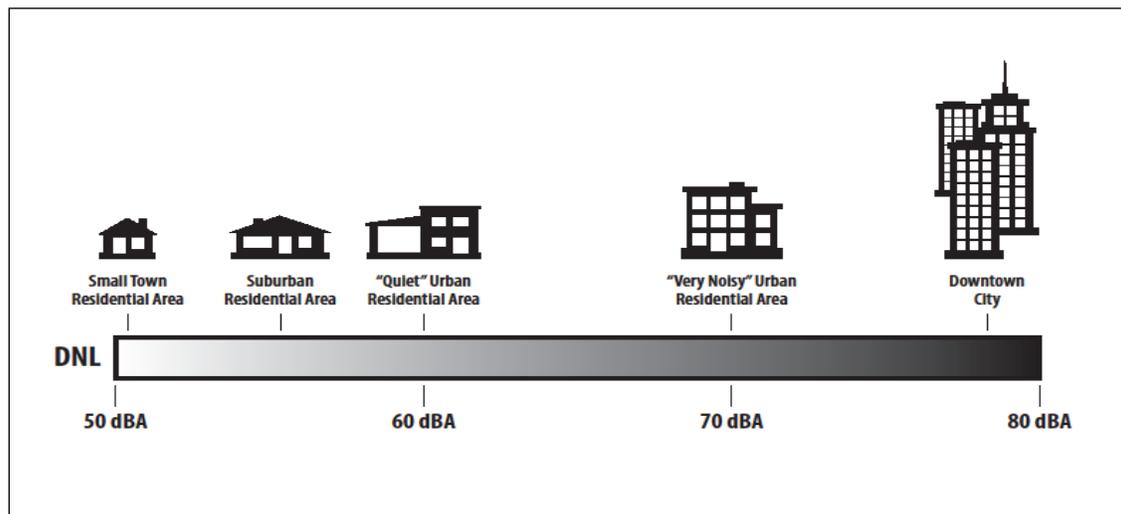


Figure 1. Typical Day-Night Average Sound Levels

Common community noise sources include sources inside and outside of buildings. For example, a person indoors can experience the noise from vacuum cleaners, air conditioners, televisions, etc. Example sources of outdoor noise entering a house include lawn mowers, vehicular traffic, railroads, and aircraft. A new, potentially intrusive noise source can range from acceptable to unacceptable depending on a number of factors, including the following:

² U.S. Environmental Protection Agency. 1974. Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety.

- Magnitude of the noise level relative to ambient sound levels.
- Character of the noise.
- Number, time of day, and elapsed time of noise events.

For these reasons, a metric responsive to cumulative noise exposure over the full range of aircraft operational conditions is most appropriate to assess community noise exposure.

2.2 Aircraft Certification

The purpose of the noise certification process is to ensure that the latest available safe and airworthy noise reduction technology is incorporated into new aircraft designs, thereby minimizing aircraft noise levels experienced by communities.

The Federal Aviation Administration applies noise certification standards to regulate the maximum noise level that an individual civil aircraft can emit. The United States aircraft noise standards are defined in the Code of Federal Regulations Title 14 Part 36 – Noise Standards: Aircraft Type and Airworthiness Certification (14 CFR Part 36). Rigorous noise measurement procedures are used in the aircraft certification process. For aircraft certification, single aircraft event metrics are most appropriate for finding compliance. In the case of U.S. large airplane and helicopter regulations, the increased designation by “stage” for such applicable standards are an indication of noise stringency increases that lower the maximum allowable noise levels.

As noise reduction technology matures, the FAA works with the international community to determine if a new stringent noise standard is appropriate. If so, the international community, through the International Civil Aviation Organization’s Committee on Aviation Environmental Protection, embarks on a comprehensive analysis to determine a new noise standard.

The FAA publishes certificated noise levels in the advisory circular, “Noise Levels for U.S. Certificated and Foreign Aircraft.” This advisory circular provides noise level data for aircraft certificated under 14 CFR Part 36 and categorizes aircraft into their appropriate “stages.” Any aircraft that is certified for airworthiness in the U.S. must comply with noise standard requirements to receive a type certificate.

3. Noise Metrics Acoustic Background and History

3.1 Background on Acoustical Frequency Weighting

Many metrics used to predict or describe noise effects corresponding to the human response to noise rely on A-weighting to express the spectral (frequency) content of noise as a single-valued number. First identified in the 1933 Fletcher-Munson curves,³ the A-weighting network intentionally focuses on frequencies in the mid-range and is less influenced by both low and high frequency sounds. A-weighted noise levels correspond better to human response to noise⁴ than do other weightings.

³ Fletcher, H. and W.A. Munson. 1933. Loudness, Its Definition, Measurement and Calculation. Journal of the Acoustical Society of America. Volume V. October.

⁴ Federal Railroad Administration. 2012. High-Speed Ground Transportation Noise and Vibration Impact Assessment. U.S. Department of Transportation. Office of Railroad Policy and Development. DOT/FRA/ORD-12/15. September.

The A-weighting network was originally developed for sounds of relatively low level. Additional B- and C-weighting networks were developed for application to sounds of increasing absolute level. The B-weighting network had little use in noise analyses, however, and was eventually dropped from the sound level meter standard. Figure 2⁵ shows the frequency response characteristics of A- and C-weighting.

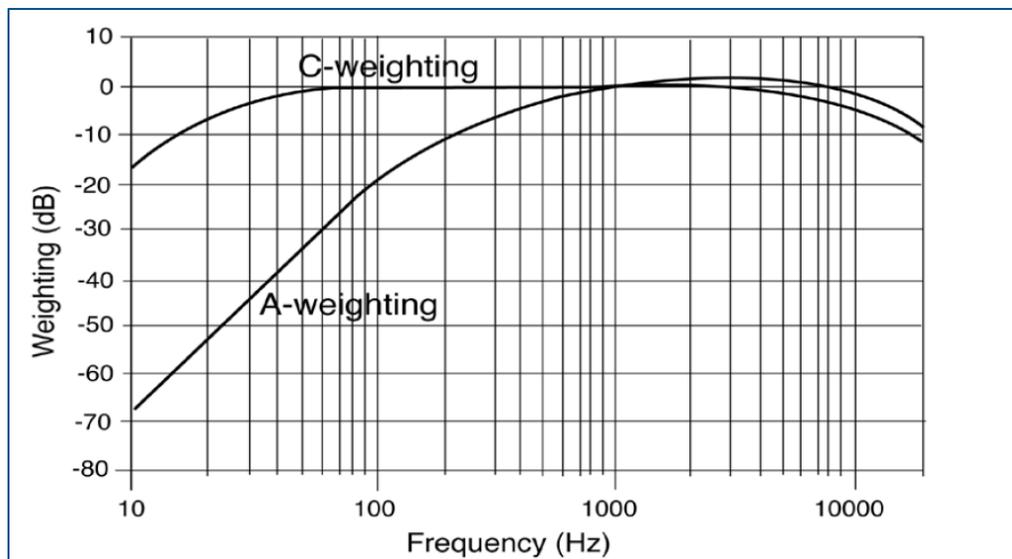


Figure 2. Frequency Response Characteristics of A- and C-Weighting.

The rationale for favoring A-weighted noise metrics can be traced to the very first community noise survey,⁶ and for the convenience of manufacturing analog sound level meters. Modern digital sound level meters can easily measure sound with various weightings and/or at individual frequencies.

In some cases, no weighting is used, which is referred to as a “linear” decibel value, and simply denoted dB.

C-weighting (dBC) is currently used for certain applications, such as loud, impulsive noise or noise sources with substantial low frequency content (e.g., sonic booms, commercial space launches, or artillery ranges). C-weighting has essentially little to no weighting between 31.5 hertz (Hz) and 8 kilohertz (kHz), and thus is similar to a “linear” decibel (dB) value.

Measurement of sound includes both frequency and temporal characteristics. Various frequency weightings, such as A-weighting as previously discussed, allow sound measurements with different frequency or spectral content to be represented by a single number.

The time varying nature of sound levels can be characterized by cumulative and single event metrics. Maximum sound level over a given time interval (L_{max}) can be measured as well, but depending on how much levels vary, the L_{max} may not be representative of longer-duration measurements.

⁵ ANSI S1.4 -1983 “Specification of Sound Level Meters.”

⁶ Fletcher, H., A.H. Beyer, and A.B. Duel. 1930. “Noise Measurement,” in City Noise, Report of the Noise Abatement Commission, Department of Health, City of New York.

3.2 History of Modern Noise Metrics

The framework of modern noise metrics (including DNL) can be traced back to the Composite Noise Rating (CNR) of the 1950s.^{7,8,9} The CNR began in a form where aircraft noise spectra¹⁰ were compared to reference spectra at various levels. The CNR included adjustments for time of day, ambient conditions, and other factors. By the 1960s, the CNR had evolved into the Noise Exposure Forecast (NEF)¹¹ which accounted for multiple noise events. These early noise metrics were later replaced due to the acknowledgement of the need to account for noise level, duration, the number of noise events, and time of day.

The effort to develop a noise metric to evaluate noise in the vicinity of an airport began in California in 1969 with the adoption of Public Utilities Code Section 21669:

The department [of Aeronautics] shall adopt noise standards governing the operations of aircraft and aircraft engines for airports operating under a valid permit issued by the department to an extent not prohibited by federal law. The standard shall be based upon the level of noise acceptable to a reasonable person residing in the vicinity of the airport.

In 1970, the California Aeronautics Board adopted the community noise equivalent level (CNEL) as the measurement of an airport's "noise footprint."¹²

In 1972, Congress passed the Noise Pollution and Abatement Act (commonly referred to as the Noise Control Act), which directed the U.S. Environmental Protection Agency (EPA) to coordinate the programs of all federal agencies relating to noise research and noise control and to publish information on the levels of environmental noise necessary to protect the public health and welfare with an adequate margin of safety;¹³ however, the authority to manage aviation noise was retained by the FAA. In 1974, EPA, in its "Levels"¹⁴ document, recommended DNL (also expressed as L_{dn}) as the best metric to describe the effects of environmental noise in a simple, uniform and appropriate way. DNL replaced or supplemented earlier noise metrics, including CNEL, for federal purposes.

⁷ Rosenblith, W.A., K.N. Stevens, and the staff of Bolt, Beranek, and Newman. 1953. Handbook of Acoustic Noise Control, Vol. 2, Noise and Man. USAF Report WADC TR-52-204.

⁸ Stevens, K.N., W.A. Rosenblith, and R.H. Bolt. 1953. Neighborhood Reaction to Noise: A Survey and Correlation of Case Histories (A). *J. Acoust. Soc. Am.* Vol 25(833).

⁹ Stevens, K.N., and A.C. Pietrasanta. 1957. Procedures for Estimating Noise Exposure and Resulting Community Reactions from Air Base Operations. USAF Report WADC TN 57-10.

¹⁰ "Spectra" refers to a frequency spectrum which typically includes the magnitude of individual frequencies from 31.5 hertz to 20 kilohertz. Hertz is equivalent to cycles/second.

¹¹ Bishop, D., and M.A. Simpson. 1970. Noise Exposure Forecast Contours for 1967, 1970 and 1975 Operations at Selected Airports. DOT/FAA Office of Noise Abatement, FA68WA-1900. September. BBN Report No. 1863.

¹² CNEL is still in use in California; FAA recognizes it as an alternative metric and has allowed California airports to present annual noise exposure in terms of CNEL, rather than DNL, for consistency with state protocols.

¹³ Congress discontinued funding for the EPA Noise Office in 1981.

¹⁴ U.S. Environmental Protection Agency Office of Noise Abatement and Control, *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety* (Mar. 1974).

In 1979, Congress passed the Aviation Safety and Noise Abatement Act (ASNA), which required the FAA to establish:

- (a) A single system of measuring noise, for which there is a highly reliable relationship between projected noise exposure and surveyed reactions of people to noise, to be uniformly applied in measuring noise at airports and the areas surrounding such airports; and
- (b) A single system for determining the exposure of individuals to noise which results from the operations of an airport and which includes, but is not limited to, noise intensity, duration, and time of occurrence.¹⁵

Taking into consideration existing information on noise metrics, in 1981, in accordance with ASNA, the FAA adopted DNL as its standard metric. The FAA uses the DNL metric for purposes of determining an individual's cumulative noise exposure and for land use compatibility under 14 CFR part 150. The FAA also uses DNL for assessing the significance of predicted noise impacts under NEPA.

4. Noise Metrics Overview

This section provides background on the range of noise metrics most commonly used for evaluations of transportation noise or for other related purposes. Sections 5 and 6 will then introduce where these metrics are in active use by the FAA or other agencies for regulatory purposes.

4.1 Cumulative Metrics

Cumulative noise metrics consider both the sound level and the duration, and are useful in quantifying long-term community noise exposure. Depending on the situation, different length of time periods, such as hourly, daily or annual can be considered by cumulative metrics.

The following are examples of cumulative noise metrics.

Level Equivalent (L_{eq})

The Level Equivalent (L_{eq}) is the equivalent continuous sound level in decibels, equivalent to the total sound energy measured over a stated period of time. L_{eq} is essentially the average sound level during the measurement interval and takes into account the cumulative effect of multiple noise events.

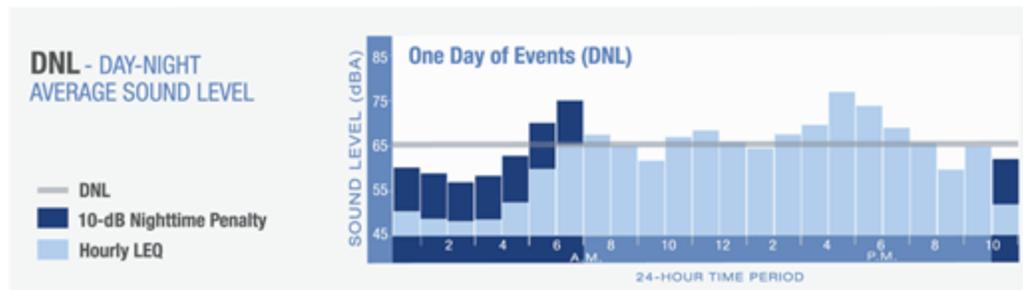
Day-Night Average Sound Level (DNL)

The DNL noise metric captures all the acoustic energy within a 24-hour period, adding a 10 dB penalty between the hours of 10:00 p.m. and 7:00 a.m. to account for people's increased sensitivity to noise at night. Night-time ambient sound levels are often approximately 10 dB lower than daytime sound levels, so the 10 dB adjustment can also be thought of as

¹⁵ 49 U.S.C. § 47502(1)(A)(B), (2), (3).

compensating for this drop-in sound level. DNL is usually expressed in terms of A-weighted sound levels, but other frequency weightings can be used, such as C-weighting (i.e., CDNL).

DNL represents an average day of hourly weighted Leq noise levels as shown in the schematic below.



DNL is also most often considered commutatively over an Average Annual Day and provides a consolidated summary of the annual noise exposure. The American National Standards Institute (ANSI) comments¹⁶ on the appropriateness of the annual average DNL with respect to long-term community noise exposure: “Ordinarily, land-uses are long-term, continuing nature, and the yearly day-night average sound level is appropriate for these land uses. For other land uses, compatibility is to be assessed by the average sound level during the time interval of interest for the land use involved.”

Community Noise Equivalent Level (CNEL)

The Community Noise Equivalent Level (CNEL) metric, used in California¹⁷, is similar to the DNL metric, but in addition to the 10 dBA nighttime penalty, it also adds a 4.77 dBA penalty for sound levels occurring during the evening hours (7:00 p.m. to 10:00 p.m.).

4.2 Single Event Metrics

Single event metrics focus attention on the noise attributes of individual noise events such as an aircraft flyover.

Sound Exposure Level (SEL)

The SEL metric captures all the acoustic energy of a noise event and normalizes it as if the event occurred in one second. The SEL takes into account both sound level and duration, and therefore allows direct comparison between two different noise events with different durations and/or sound level. The SEL (in conjunction with number of daytime and nighttime noise events) also can be used to calculate DNL.

Maximum Sound Level (L_{max})

Maximum sound level (L_{max}) is the maximum sound level measured within a desired measurement interval.

¹⁶ “Sound Level Descriptors for Determination of Compatible Land Use” (ANSI S12.40-1990).

¹⁷ CNEL may be used in lieu of DNL for assessment of FAA actions in California.

4.3 Operational-Acoustic Metrics

“Operational-Acoustic” refers to metrics such as Number-above (NA), Time-above (TA), and Time-audible. These types of metrics include non-acoustic information, such as number of aircraft or time elapsed exceeding a certain noise level threshold. This type of metric is a linear measure (as opposed to logarithmic), which in some situations can aid in providing supplemental noise information to the public. Contours (isopleths) of these of Operational-Acoustic metrics can be superimposed on maps showing noise level contours from acoustic metrics, such as DNL.

Number-above (NA)

The NA metric combines single event noise level information with aircraft movement data. NA contours commonly show the number of aircraft above a given noise level threshold over a specified time period (e.g., 70 dBA and 24 hours).

Time-above (TA)

The TA noise metric measures the total time, or percentage of time, that the A-weighted aircraft noise level exceeds an indicated level. TA correlates linearly with the number of flight operations and is also sensitive to changes in fleet mix.

Time-audible

The Time-audible metric quantifies the duration at which noise from a transient noise source occurs at a noise level greater than the existing ambient noise level. The noise source must also be detectable by a human observer with normal hearing, who is actively listening.

This metric is highly dependent upon an accurate representation of ambient sound levels, both temporally and geo-spatially. For example, a listener’s particular location and time at that location would need accurate and reliable ambient sound level data for comparison with accurate aircraft noise levels. For these reasons, the Time-audible metric can be difficult to represent accurately in areas with dynamic or variable ambient noise levels.

For typical vehicle noise levels, this metric is most applicable for projects within or involving noise sensitive areas at very low and constant ambient noise levels, such as national parks. Low and constant ambient noise levels are desired because this metric is most sensitive where the source noise is distinguishable from the ambient noise.

4.4 Low Acoustic Frequency Noise Metrics

Pounds Per Square Foot (PSF): A direct measure of the peak overpressure from an acoustical event. Most often considered for high intensity noise events where structural concerns are relevant.

C-weighted SEL (CSEL) and C-Weighted DNL (CDNL): Analogous to SEL and DNL, but incorporates a C-weighting to be more responsive to lower acoustic frequency noise. CSEL is the recommended¹⁸ metric for evaluating human response to sonic booms.

¹⁸ National Research Council. 1981. Assessment of Community Response to High-Energy Impulsive Noises. Report of CHABA Working Group 84, W. J. Galloway, Chairman.

5. Noise Metrics in use by FAA

As introduced in section 3.2, the DNL noise metric was adopted by FAA to meet the requirements established by ASNA and codified in 14 CFR Part 150. DNL is also used by the FAA in making determinations for Federal Actions it assesses under NEPA as specified under FAA Order 1050.1F. The DNL metric is an example of a cumulative A-weighted¹⁹ noise metric and represents the exposure level over a complete 24-hour period. DNL accounts for the noise level of each individual aircraft event, the number of times those events occur, and the time of day/night in which they occur. DNL includes a 10 decibel²⁰ (dB) noise penalty added to noise events occurring from 10:00 p.m. to 7:00 a.m. to reflect the increased human sensitivity to noise and lower ambient sound levels at night. To ensure that all of the variable operational conditions over the course of a year are considered, FAA considers the Average Annual Day when calculating DNL²¹. Average Annual Day DNL is used to assess noise from all fixed wing and rotorcraft aircraft in both the vicinity of airports and in the extended airspace.

In addition to regulation of aircraft operations, the FAA's Office of Commercial Space Transportation issues licenses to operate non-federal launch sites and to operate launch vehicles. Commercial space launch vehicles typically produce two different types of noise: launch noise (from rocket engines) and sonic booms (generated during supersonic flight). Launch noise can be assessed using several different noise metrics. The DNL metric has been used for commercial space projects for public disclosure and because the FAA uses the DNL metric when determining significance under NEPA, but its suitability is uncertain primarily because of the relatively small number of noise events (i.e., launches per year). CSEL and CDNL may also be considered in some cases for commercial space noise evaluations.

While DNL is used for all FAA noise-based decision-making purposes, the FAA encourages the use of other supplemental metrics as a communication tool to highlight unique situations where applicable. Section 8 will discuss the use of noise metrics for supplemental purposes.

6. Noise Metrics in use by U.S. and State Government (outside FAA)

Federal and state agencies other than the FAA employ similar noise metrics to evaluate a project's noise impacts. For example, the U.S. Department of Housing and Urban Development (HUD), Surface Transportation Board (STB), and U.S. Department of Defense (DOD) also employ the DNL metric to determine Land Use Policy according to Federal Land Use Policy guidelines. The Federal Highway Administration (FHWA) primarily uses the L_{eq} metric while the Federal Railroad Administration (FRA) and Federal Transit Administration (FTA) use both L_{eq} and DNL metrics. Daytime L_{eq} metrics are typically used for activities with little or no nighttime activity, while DNL is used to account for daytime and nighttime activity.

¹⁹ A-weighted metrics weight the acoustic frequency of noise to approximate that of human hearing.

²⁰ The decibel (dB) is a logarithmic relationship of sound pressure levels, which is designed to collapse a large range of pressure values into a more manageable range. A 10-dB increase is perceived as a doubling of loudness, while a 3-dB increase is perceived as just noticeable to most people.

²¹ Average Annual Day DNL may also be noted as Yearly DNL or YDNL

It is important to draw a distinction between a particular noise metric and any accompanying noise threshold values (in decibels) used to inform project or policy determinations. Determinations of threshold values depend on multiple technical and policy considerations that, while related to the choice of noise metric, require separate consideration.

The following examples illustrate how different agencies and departments apply various noise metrics.

6.1 Level Equivalent (L_{eq}) Metric

FHWA uses the loudest one-hour L_{eq} ²² to assess impacts associated with highway noise. FHWA's impact criteria for residential receptors has been 67 dBA (L_{eq}) (or 70 dBA L_{10}) at exterior use areas since 1976. In many cases, highway noise levels peaking in the range of 66 dBA (L_{eq}) often are in the range of 65 DNL if measured over a 24-hour period.

FHWA employs both "absolute" and "relative" noise impact criteria. "Absolute" refers to the 67 dBA (L_{eq}) threshold for noise-sensitive outdoor use areas, including those of residences. "Relative" noise criteria refer to a potential increase in noise level due to a highway project. FHWA allows individual states to determine their own "relative" noise criteria which can vary between 5 and 15 dBA above ambient sound levels, defined as a "substantial increase." Impacts can occur under one, the other, or both; at which point the highway agency must consider abatement for those impacts.

6.2 DNL and L_{eq} Metrics

Originating from FTA guidance²³, The FTA and FRA²⁴ essentially use the same noise metrics and procedures, including consideration of existing ambient noise levels and project noise levels for environmental noise impact analysis as shown in Figure 3.

For FTA, these procedures include how to calculate light rail transit noise levels for various trains using consistent configurations and distances from the rail line. Transit bus projects also often include highway elements and may require FHWA noise procedures to be used, in conjunction with FTA noise procedures. The FTA noise manual provides guidance on choosing the correct procedures for such multi-modal projects.

For FRA, existing and project noise levels are expressed in terms of dBA, delineated by times of use. Specifically, the manual requires: " L_{dn} is used for land use where nighttime sensitivity is a

²² Federal Highway Administration. 23 CFR Part 772: Procedures for Abatement of Highway Traffic Noise and Construction Noise -- Final rule. Federal Register Vol. 75, No. 133, 1 July 2010.

²³ Federal Transit Administration. 2018. Transit Noise and Vibration Impact Assessment. FTA Report No. 0123. September.

²⁴ FRA follows FTA guidance for assessments of rail vehicles operating below 90mph. For rail vehicles operating above 90mph further guidance is provided in: Federal Railroad Administration. 2012. High-Speed Ground Transportation Noise and Vibration Impact Assessment. U.S. Department of Transportation. Office of Railroad Policy and Development. DOT/FRA/ORD-12/15. September.

factor; L_{eq} during the hour of maximum transit noise exposure is used for land use involving only daytime activities.”

Figure 3 is applicable to both L_{eq} and DNL. Figure 3 shows that the “allowable project noise level” decreases with decreasing existing ambient noise levels. It is interesting to note that a project noise level of DNL 65 dBA covers a wide range of typical ambient noise level conditions as an impact threshold.

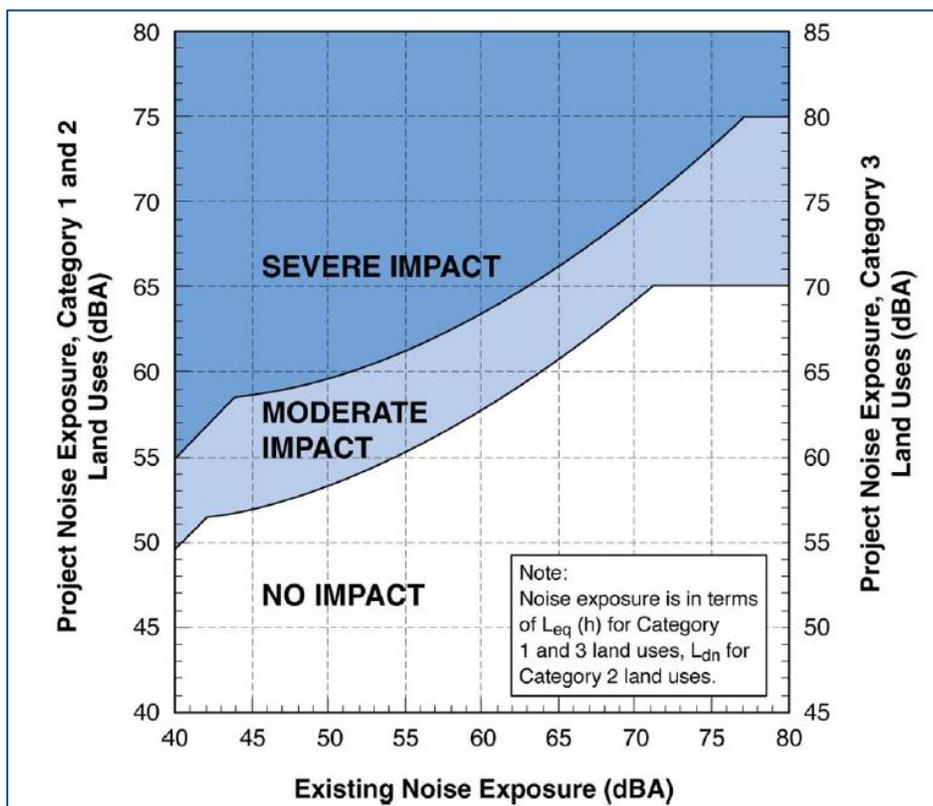


Figure 3. Federal Railroad Administration Noise Metrics/Criteria

6.3 30-Day Average DNL Metric

As an example of long-term versus mid- and short-term noise exposure, the FTA uses a 30-Day Average DNL for certain construction projects warranting a detailed construction noise analysis²⁵. Construction projects usually have noise metrics and thresholds which consider the temporary nature of construction projects.

²⁵ Specific procedures for assessing construction noise impacts are provided in 2018 FTA Report No. 0123

6.4 DNL Metric

Based on Federal land use guidelines²⁶ and similar to the way in which FAA assesses compatible land use²⁷, HUD²⁸ considers an environmental noise level of less than DNL 65 dB as acceptable, a noise level between DNL 65 and 75 dBA normally unacceptable, and a noise level above DNL 75 dB unacceptable. HUD also employs a building interior standard of DNL 45 dB. HUD noise analysis considers the effects of highways, railroads, airports, and military installations for all of its property related expenditures, including loans, planning assistance, and support of new construction. Common use of Federal land use guidelines, including the DNL noise metric, provides HUD with a consistent defensible method for considering aircraft noise in its decision making. Where aircraft noise is a consideration, use of a noise metric other than that considered by FAA, would add complexity and could negatively impact the process for granting home loans and property development.

The DOD primarily uses the DNL metric for environmental noise analysis with caveats: “Although local conditions regarding the need for housing may require residential use in these zones, residential use is discouraged in DNL 65-69 dBA and strongly discouraged in DNL 70-74 dBA. The absence of viable alternative development options should be determined, and an evaluation should be conducted locally prior to local approvals indicating that a demonstrated community need for the residential use would not be met if development were prohibited in these zones.”²⁹ Existing residential development is considered as pre-existing, incompatible land use.

The DOD promotes long-term compatible land use in the vicinity of military installations via the Air Installations Compatibility Use Zones (AICUZ) program. DOD employs detailed land use compatibility recommendations based on Standard Land Use Coding Manual (SLUCM) land use codes and DNL or CNEL noise areas on and around air installations.

AICUZ studies use the A-weighted DNL noise descriptor except in California, where the CNEL descriptor is used. Supplemental noise metrics may also be used to augment the DNL or CNEL analysis as noted by the Federal Interagency Committee on Urban Noise (FICUN). Since land use compatibility guidelines are based on yearly average noise levels, aircraft noise contours should be developed based on average annual day operations.

As a minimum, contours for DNL 65, 70, 75, 80, and 85 dBA are plotted on maps for Air Force, Navy, and Marine Corps air installations as part of AICUZ studies. The Army applies Operational Noise Management Program DNL designations of 60–65, 65–75, and greater than 75 dBA at its air installations. Contours below DNL 65 dB are not required but may be provided if local conditions warrant discussion of lower aircraft noise levels, such as in rural and desert areas, or where significant noise complaints have been received from areas outside DNL 65 contours.

²⁶ Federal Interagency Committee on Urban Noise. 1980. Guidelines for Considering Noise In Land Use Planning and Control. June.

²⁷ 14 CFR Part 150.

²⁸ 24 CFR Part 51.

²⁹ Department of Defense Instruction 4165.57 (August 31, 2018).

Supplemental noise metrics may be used to augment DNL and CNEL noise analyses to provide additional information to describe the noise environment in the vicinity of air installations.

The STB regulates and decides disputes involving railroad rates, railroad mergers or line sales, and certain other transportation matters. The STB environmental review regulations for noise analysis³⁰ have the following criteria:

- An increase in noise exposure as measured by a DNL of 3 dBA or more.
- An increase to a noise level of DNL 65 dBA or greater.

If the estimated noise level increase at a location exceeds either of these criteria, STB estimates the number of affected receptors (e.g., schools, libraries, residences, retirement communities, nursing homes) and quantifies the noise increase. The two components (3 dBA increase, DNL 65 dBA) of the STB criteria are implemented separately to determine an upper bound of the area of potential noise impact. However, noise research indicates that both criteria components must be met to cause an adverse noise impact.^{31,32} That is, noise levels would have to be greater than or equal to DNL 65 dBA and increase by 3 dBA or more for an adverse noise impact to occur.

6.5 Comparable International Noise Metrics (LAeq 16h, Lden)

Airports in the United Kingdom use similar cumulative noise metrics as used in the United States, such as the LAeq,16hr and Lden metrics.

6.5.1 LAeq,16hr

This noise metric is the A-weighted equivalent continuous noise level, assessed over an average daytime / evening period (7:00 a.m. to 11:00 p.m.) in the summer months. This metric was selected as a result of the United Kingdom Aircraft Noise Index Study³³ social survey which measured human response to aircraft noise expressed by a sample of people living at different places around five English and one Scottish airport. This study found that a ten-decibel nighttime noise penalty was not warranted for these particular airport communities.

6.5.2 Lden

In 2002, the European Commission published Directive 2002/49/EC, establishing a common environmental noise indicator for the European Union.³⁴ The Lden is the A-weighted equivalent continuous noise level, evaluated over an annual average 24-hour period, with a 10-dB penalty added to the levels at night (11:00 p.m. to 7:00 a.m.) and a 5 dB penalty added to the levels in the evening (7:00 p.m. to 11:00 p.m.) to reflect people's increased sensitivity to noise during these periods.

³⁰ 49 CFR 1105.7e(6).

³¹ Coate, D. 1999. Annoyance Due to Locomotive Warning Horns. Transportation Research Board, Transportation Noise and Vibration Subcommittee A1FO4. San Diego, CA. August 1-4.

³² Surface Transportation Board. 1998. Draft Environmental Assessment for Canadian National and Illinois Central Acquisition, Finance Docket No. 33556.

³³ Survey of noise attitudes 2014: Aircraft CAP 1506, 2017

³⁴ Survey of noise attitudes 2014: Aircraft CAP 1506, 2017

7. Role of Noise Measurements vs. Noise Modeling

Aircraft noise measurements and noise models have different attributes and roles.

Noise measurements are used for the aircraft certification process, as described in Section 2.2. Noise measurements are also an integral part of the data required for noise modeling; where carefully controlled measured aircraft (source) noise levels by aircraft type and model form the basis of the noise information utilized by aviation noise models. In contrast to these carefully controlled noise measurements, noise measurement data collected in dynamic “real world” situations from noise monitors in the vicinity of an airport can include various sources of error (as will be discussed later in this section).

Noise modeling refers to the use of computational models to generate noise results at single locations, or over a grid of locations. Modeled noise contours at various noise levels, usually in units of decibels, can also be plotted to show regions of equal noise exposure. Noise measurements provide the aircraft source noise data for the various aircraft types and are used by the FAA Aviation Environmental Design Tool (AEDT)³⁵ for its noise calculations. These data are also validated against noise certification data to ensure accuracy. The FAA uses AEDT to dynamically model aircraft performance in space and time to predict fuel burn, air emissions, and noise levels. This type of modeling allows the input of detailed airport runway configurations, aircraft fleet mix and operations, flight corridors, and a detailed layout of land use and communities adjacent to the airport. Noise modeling allows the overlay of noise contours or single location noise values on detailed land use and community mapping. Noise modeling is used to assess a wide variety of proposed federal actions, such as those resulting from airfield changes or changes in airspace management. Many other federal and international agencies that are responsible for noise impact assessment also employ noise modeling techniques.

Due to the need to generate detailed noise results over large areas, noise modeling is the only practical way to accurately and reliably determine geospatial noise effects in the surrounding community when analyzing proposals related to aviation noise. The many challenges and limitations to using noise measurements for evaluating airport vicinity noise are summarized below:

- Non-aircraft sound can have a large influence on noise monitoring data, which can be difficult to separate from aircraft noise during data post-processing.
- Long-term (e.g., year-long) noise monitoring requires regular maintenance and calibration of the individual noise monitors on a continuous, year-round basis, which has considerable costs.
- To ensure the same accuracy and fidelity of data generated by noise models, an extremely large number of noise monitoring locations is required. (e.g. tens of thousands of noise monitors, collecting year-round data in the vicinity of an airport would be needed to match the fidelity and accuracy of noise modeling).
- Noise monitoring data is not capable of analyzing either “what if” scenarios or proposed future action airport and air space scenarios.

³⁵ Data is managed by the European Organization for the Safety of Air Navigation (EUROCONTROL) through the Aircraft Noise and Performance (ANP) database

Airport vicinity noise measurements are therefore not appropriate for assessing environmental project determinations or for considering single project validation of noise modeling results. While these limitations make it unsuitable for “real world” noise measurements to consistently inform environmental decision making, the FAA does review noise measurement data when provided as part of an environmental report. In cases where data from modern, well maintained noise monitoring systems are provided, a close agreement between measured and modeled results is typically found, which further validates noise modeling accuracy.

The different roles of aviation noise measurements and modeling are also understood in the international aviation community. For example, the European Civil Aviation Conference states that “the measurement of long-term sound exposures from aircraft is not normally possible as it would require acceptable weather conditions and 100% functional instrumentation and data collection for the entire time period of interest—normally up to 12 continuous months. (And to generate even rudimentary contours this would have to be done at a very large number of locations.)”³⁶ The United Kingdom’s Civil Aviation Authority states that provided “sufficient noise measurements are collected from a large enough number of locations and that the data is normalised appropriately, it is relatively straightforward to produce validated noise estimates. There are, however, a number of difficulties and limitations with such simplistic models. Data from a large number of measurement sites would be extremely expensive and time consuming to collect and process for a major airport, especially if aircraft noise contours were required on a regular basis. Further, such models do not provide a capability to assess the effects on the contours of changes to aircraft flight profiles, for forecasting or ‘what if’ analyses.”³⁷

Other domestic federal state and local agencies, including all federal domestic transportation agencies also employ modeling for noise level predictions when conducting noise measurements would be impractical.

While airport noise monitoring is not generally used for predictive purposes, a noise monitoring program is often a useful tool to inform the airport and neighbors about current aircraft activity and corresponding noise levels in the community. This type of noise monitoring may be accomplished via a permanent noise monitoring system; however, these systems can be quite sophisticated and require numerous permanent noise monitoring stations distributed throughout the community adjacent to the airport.

8. Role of Supplemental Metrics

As discussed in Section 3, FAA’s environmental decision-making for noise must use a metric that considers the magnitude, duration, and frequency of the noise events under study. The DNL noise metric uniquely meets these requirements. However, in specific situations, additional information focused on a more targeted type of noise exposure may require the use of supplemental noise metrics.

³⁶ European Civil Aviation Conference. 2016. CEAC Doc 29 4th Edition Report on Standard Method of Computing Noise Contours around Civil Airports Volume 1.

³⁷ D.P. Rhodes, and J.B. Ollerhead. 2001. Aircraft Noise Model Validation. Environmental Research and Consultancy Department, Civil Aviation Authority, Internoise.

Individually, supplemental metrics may not fully consider the magnitude, duration, and frequency of the noise events, but may be used to support further disclosure and aid in the public understanding of community noise exposure.³⁸ Supplemental noise analyses are often useful to describe aircraft noise exposure from unique operational situations or for noise sensitive locations to assist in the public's understanding.

For example:

- Single event metrics like SEL and Lmax or Leq-type metrics associated with specific time periods may be useful in categorizing the noise associated to short-term activities or from individual flights, but do not fully consider the number of flights or account for the operational variations over a longer-term period.
- Operational-Acoustic metrics like NA and TA provide an alternative way to consider noise exposures over longer time periods while emphasizing details about aircraft operational characteristics, but do not fully consider the cumulative intensity of aircraft noise.
- For typical vehicle noise levels, time audible provides a comparison of aviation noise to the underlying ambient noise levels, but is only a practical consideration where ambient noise occurs at relatively low constant levels.

There is no single supplemental metric that is preferable in all situations and the selection of an appropriate supplemental metric depends on the circumstances of each analysis. However, where warranted, consideration of established supplemental metrics is encouraged.

In addition to the established supplemental metrics discussed above, ongoing research activities sponsored by the FAA and the broader research community are working to develop a greater understanding of other noise-related impact criteria. New supplemental metrics based on this research could then be developed.

Examples of these potential supplemental metrics include:

- N75 (Speech Interference): Considers speech interference (i.e., disruption) between a speaker and listener at a normal conversation distance.
- % Awakening (Sleep Disruption): Based on a standard ANSI³⁹ developed to predict sleep disturbance in terms of the metric “percent awakenings” or numbers of people awakened.
- Leq (8) (Learning): Based on a standard ANSI has developed⁴⁰ to consider the effects of noise on classroom learning.

³⁸ For example, the FAA's 2005 Environmental Impact Statement for the Modernization of Chicago O'Hare International Airport provided supplemental noise metrics (SEL, Lmax, and TA).

³⁹ ANSI/ASA S12.9-2008. 2008. Part 6 Quantities and Procedures for Description and Measurement of Environmental Sound—Part 6: Methods for Estimation of Awakenings Associated with Outdoor Noise Events Heard in Homes.

⁴⁰ ANSI S12.60-2002. 2002. American National Standard Acoustical Performance Criteria, Design Requirements, and Guidelines for Schools.

- $L_{max}(c)$ (Rattle): Considers the effects from low frequency aircraft operations^{41,42} including the potential to induce “rattle” to structures.⁴³

9. Summary

In summary, no single noise metric can cover all situations. However, the DNL metric, and similar versions such as L_{den} , are being used world-wide to assess aircraft noise effects on communities. In 1992, the Federal Interagency Committee on Noise (FICON) report⁴⁴ concluded that DNL is the recommended metric and should continue to be used as the primary metric for aircraft noise exposure. The successor to FICON, the Federal Interagency Committee on Aviation Noise (FICAN) has also reaffirmed this recommendation in their 2018 report⁴⁵.

In accordance with ASNA, the FAA adopted DNL as its standard metric. The FAA uses the DNL metric for purposes of determining an individual’s cumulative noise exposure, for land use compatibility under 14 CFR part 150, and for assessing the significance of predicted noise impacts under NEPA. Federal and state agencies other than the FAA, as well as international agencies, employ similar noise metrics to evaluate a project’s noise impacts.

Table 1 compares the various noise metrics discussed in this report, specifically in terms of ASNA requirements for a metric to account for noise level, time of day, and number of events.

Table 1. Noise Metrics

	Noise Level	Time of Day	Number of Events
L_{eq}	✓		✓
DNL	✓	✓	✓
LAeq(hr) (e.g. 16hr, 8hr)	✓	✓	✓
L_{den}	✓	✓	✓
CNEL	✓	✓	✓
SEL and CSEL	✓		
L_{max}	✓		
PSF ^a	✓		
NA ^b	✓		✓
TA ^c	✓		
Time Audible ^d	✓		

^a PSF, or pounds per square foot, is functionally a measure of “noise level” instead of decibels. PSF is typically used as a measure of the peak overpressure of a sonic boom.

^b NA is the number of noise events above a certain noise level threshold.

⁴¹ Federal Aviation Administration. 2004. Nonmilitary Helicopter Urban Noise Study.

⁴² Schomer, P., and R.D. Neathammer. 1985. The Role of Vibration and Rattle in Human Response to Helicopter Noise. U.S. Army Corps of Engineers. Technical Report N-85/14. September.

⁴³ Hubbard, H.H. 1982. Noise Induced House Vibrations and Human Perception. Noise Control Engineering Journal. Vol. 19., No. 2.

⁴⁴ Federal Agency Review of Selected Airport Noise Analysis Issues (FICON), 1992

⁴⁵ FICAN Research Review of Selected Aviation Noise Issues (FICAN), 2018

^c TA is the time of noise events exceeding a certain noise level threshold.

^d Time Audible is the amount of time noise events exceed ambient sound levels. This could be interpreted as taking into account the number of noise events.

Noise modeling is the only practical way to predict geospatial noise effects in a surrounding community when analyzing proposals related to aviation noise. Noise modeling is also necessary for a wide variety of other proposed federal actions, such as those resulting from airfield changes or changes in airspace management. The assessment of these actions requires the review of future case proposals and can therefore only be considered through predictive modeling.

Finally, while the DNL metric is FAA's decision-making metric, other supplementary metrics can be used to support further disclosure and aid in the public understanding of community noise effects.

