



**TACOMA NARROWS AIRPORT ADVISORY COMMISSION
MEETING SUMMARY**

Thursday, March 9, 2017

A regular meeting of the Pierce County Tacoma Narrows Airport Advisory Commission (TNAAC) was held on Thursday, March 9, 2017 at 6:30 PM. The meeting was held at the Goodman Middle School Commons, 3701 – 38th Ave. NW, Gig Harbor, WA 98335.

I. Call to Order & Welcome

Vice Chair Brad Pattison called the meeting to order at 6:39 PM. Commission members introduced themselves. Because there was no quorum, the Commission took no action.

TNAAC VOTING MEMBERS	
Present:	Brad Pattison, Vice Chair Kurt Grimmer Terry Lee Hal Cline
Excused:	Bob Felker, Laura Fox, Larry Fickel
Absent:	Brian Durham, Michael Murphy
TNAAC NON-VOTING MEMBERS	
Present:	
Excused:	
Absent:	Michael Perrow, City of Gig Harbor; Derek Young, Council District 7
PIERCE COUNTY STAFF	
Present:	Toby Rickman, Interim Director Steve Wambach, Interim Administrator Justin VanSlyke, Operations & Maintenance Technician Cindy Willis, Office Assistant
VISITORS	
Present:	Eleven members of the public signed the attendance sheet.

II. Approval of Prior Meeting Summaries

Due to lack of quorum, the meeting summary of January 12, 2017 will be reviewed at the next meeting.

III. Visitors and Petitions

(Public comments are limited to 3 minutes per person on non-agenda items.)

None.

IV. Reports

- Justin VanSlyke, Operations & Maintenance Technician, provided the O&M report. We had our biannual stormwater inspection with only minor corrections needed. The tower gate recently hit a fuel truck and bent the gate; it's temporarily out of service. The north and south gates are working. Tacoma Narrows Aviation is finishing up the foundation of its new building; framing begins next week. The Gig Harbor Rotary is having an auction on Saturday with 300-400 people attending; they will be parking near the north gate with overflow along 26th Ave. NW and handicapped parking along the TNA building. We have an extra hire crew member beginning work on Monday to do grounds maintenance and help with projects.
- Steve Wamback, Interim Administrator, introduced himself; he is administrator of the Sustainable Resources Division. During this transition in County government, he volunteered for this interim position in addition to his regular duties. He's spent a lot of time on the non-aeronautical use issue during the past five weeks as he learns about airports and the ferry system.
- Tower Report – Bonnie Malgarini, control tower chief, said the count of aircraft operations has kept pace with last year. We're going through staffing changes and will be down to two certified controllers by the end of the month. She wasn't sure what will happen to cover the shifts; they may have to close the tower for a day or a few hours at a time. A new controller will be coming onboard the first week of April. We had a controller retire after 20 years and another left, so it's just Jake and Bonnie. We won't have the Runway 35 PAPI fixed anytime soon. Terry Lee asked if the tower closing would close down the airport; no, just the tower. An audience member asked about privatization; Bonnie said that would be the FAA's decision, but is not likely due to safety concerns. Brad Pattison asked how long it takes to certify a controller; Bonnie said 4-5 weeks for someone familiar with our tower; otherwise, between 8-10 weeks.
- Commission Reports – Brad Pattison said the Bremerton Airport has a cool playground for kids. We wanted to get a hands-on playground for kids, but the FAA said we couldn't do it because it's not necessary for aviation. The chair asked staff to check with Bremerton and find out how they got the FAA to approve their playground. Terry Lee said FoTNA had a movie night last summer and they intend to do it again in August.

V. Old Business

- Non-Aeronautical Use Policy - Steve Wamback hit the highlights of the policy document; the final version may have a different format. Changes to the previous versions are summarized in his letter; we're not rewriting, we're adopting the FAA policy statement by reference. The feds have had this policy for many years. This is a re-emphasis on an existing policy. We also quote the section from the FAA about whether the policy applies to hangars only or all

ALP areas designated for airport uses. This policy includes everything in the ALP-designated aeronautical use. Our policy also includes language for three pathways for seeking waivers: 1) a 3-5 year waiver window, 2) our own plan for self-managing, 3) other non-aeronautical uses require advanced approval from the FAA. These could result in a modification of the ALP. The biggest substantive change is a self-contained enforcement section within this document. We have an obligation to state what our enforcement will be and we'll compile an inventory of the uses at the airport that shows how facilities can be returned to aeronautical uses if there's a demand. If we have non-aeronautical uses on the airport, we must collect a fair market value for those spaces. Our policy concludes by mentioning that the County reserves the right to conduct inspections in all airport buildings, whether for building or ground leases. We will do the inspections. We reference the airport compliance manual; the FAA FAQ document will be attached in the policy as well. So in sum, we'll adopt the federal policy by reference, we'll have three pathways to seek approval for non-aeronautical uses, and we've identified an enforcement path. We cannot adopt this without ratification from the County Council. We'll provide comments received to the Council prior to their hearing. Steve said he'd like to have this to the Council by April 1. Then we can do inspections before July 1, and be in harmony with the FAA.

Brad Pattison noted that page 2 under Enforcement should say non-aeronautical; Steve agreed.

Terry Lee asked if the TFAC has a recommended change to this policy, would you bring it back to TNAAC before going to Council? Steve said if the TFAC has a dramatically contradictory recommendation, we might have to reassess or work out a solution with the two chairs. There are different issues with each airport; however, with this approach that the federal policy is adopted by reference, and identifying pathways, and enforcement straight out of the federal policy, Steve was not sure where there would be enough wiggle room that the TFAC could have a substantive objection—it's the federal policy and will happen on July 1. Terry Lee asked since the federal government is doing it anyway, does the Council need to ratify it? Steve said Dennis Hanberg, Director of Planning & Public Works, asked him the same question. We should have a policy that the County can communicate that we take the federal policy seriously and we'll enforce it. The hammer is that the FAA may deny grants if existing hangars are not in compliance. We're beginning the process of master planning at Thun Field and we don't want to jeopardize that. We have to run it by the Council—it's in County Code. Toby Rickman said the expectation is that for grant assurances, the federal government is asking us for an adopted policy, so we do that through the Council. The department's commitment without a policy statement from the Council isn't enough.

Brad Pattison asked about the three pathways for exemption from non-aeronautical use. Does each pathway require advance approval? Steve said we copied the language closely from the FAA language. We have existing public and private hangars—we can't do advance with those. New buildings require advance approval. Toby Rickman said for changing a lease or writing a new one, we'd need advance approval. If it already exists, you wouldn't have to get approval. If an inspection revealed a non-aeronautical use, we'd notify the tenant; that might trigger a request for an exemption or a new lease which would require approval for a non-aeronautical use. Brad Pattison asked about the 30-day provision to vacate; does that apply to all three categories? Steve said the third is a more draconian

approach. The first two have been the federal policy for a long time; even with a 3-5 year exemption, if market conditions change, the 30-day provision applies. Toby said at Thun Field, we have an exemption from the FAA for non-aeronautical use, but the 30-day option is in the lease clause. Brad said the Weed Control Board remodeled the Thun house with an expectation that they'd be able to use the building for a long time; now SpanaFlight wants it for an expansion of its business. Steve said he and Toby had a meeting with Doug Miller from SpanaFlight and are working on a mutually beneficial solution. Brad Pattison asked if a hangar owner wants to store a small RV along with his plane, who could he ask about whether it's OK? Steve said he'd look at Section 2 of the federal guidance where there's more detail about impeding uses. We're trying to make sure the way that hangars are used won't impede use by the aircraft. It's a two-part answer: for County hangars, we already prohibit storage of an RV in place of a plane. For private hangars on a ground lease, we'll do this level of inspection, but enforcement is subject to the condo board or private company that owns it. He's not comfortable in the role of storage cop. We have federal guidance and lease terms. Brad said if the use is not in the way of the aviation use, we're probably OK. Toby said we'll look at a hangar and determine whether it's primarily for aviation and if anything is impeding that use; if not, that's good enough. Steve said if we have a waiting list for hangars, it would be different because if there's a waiting list, there will be more attention and complaints.

Bruce Hinds leases Quad 1. He said there's a loophole in the policy; there are lots of vacancies on the airport now, but most in the t-hangars. Most non-aeronautical uses are in the new hangars. Even though there are vacancies, aircraft owners are put in the old hangars. We're going to have vacancies with the old hangars. Brad Pattison asked what if a plane owner wants a nice hangar and there aren't any available. There are run-down hangars on the north end that are vacant. Steve said the policy is designed to apply universally to the airport, whether public or private hangars. There's no distinction made about quality. We will have to give this more thought. Toby Rickman said we would have to determine how to base the need, not just for vacant hangars on the airport. Bruce Hinds said if there are six hangars used for non-aeronautical uses, if those hangars were made available to other tenants, the non-aeronautical use people could be moved to another hangar; shouldn't aircraft have first choice for the better hangars?

Wally Donion is in one of the leaky hangars. What would it cost to get into the newer hangars? What is available here? He would like a hangar without leaks and bad doors. Brad Pattison said we're trying to be reasonable with people who have made investments. All leases say what we can and can't do—if there's a hangar not in aviation use, we're not in compliance.

Frank Scoggins, president of the Tacoma Narrows Condo Association, said there are currently hangars with varying door widths for sale right now. He endorses this policy and said the communication with County administration has been good. We inherited a situation we wish we wouldn't have. The solution is not to tell an owner he has to move to a County-owned hangar. Hangars of almost every size are available. If anyone wants a private hangar, they are available for purchase at market rates. He thanked County staff for this draft policy and hopes we can all work together and be compliant. We now have a lot of vacancies in both County and private hangars.

Dan Neil owns the Avionics Shop and one building on the south end that cost \$900,000. He spent \$90,000 for fire protection in that building; there are fire sprinklers in every hangar. At some other airports, tenants aren't allowed even to have a fridge. We need to be concerned about unpermitted activities going on that may be fire hazards. The County has a right to inspect hangars they own as well as private hangars. One of the Tacoma Narrows Condo hangars had a fire in an unpermitted room; it overheated and the sprinklers couldn't reach it and it became a big fire. Pierce County will be on the hook. It's not just non-aeronautical uses that are problematic, but other reasons also. Steve Wamback said in the enforcement section, the County reserves the right to inspect privately-owned hangars also; we will do inspections to verify uses. Whether at an airport or elsewhere, if anyone believes there's unpermitted construction, you should call 253-798-4636 and enter a complaint to have our building division investigate. We can also forward complaints to the fire marshal. We have a responsibility not to cause harm to our neighbor.

Warren Hendrickson was a former County airport planner and is currently the NW regional manager for AOPA. Having reviewed the policy, he said referencing the FAA policy is a wise decision. Given that, he would expand on a few issues: 1) The rule refers to the FAA office of airports; instead we should use the official term *FAA Seattle Airports District Office*—they're charged with that responsibility. Randy Fiertz is the head of division, and Joelle Briggs is the manager of the Seattle district office. 2) Fair market rental rates – there's nothing included on how those rates are determined; there should be an appendix or some defined process for determining that. 3) The current draft County policy says 'we reserve the right to inspect' and then says 'will inspect at least once per year.' Reserving rights implies that we might inspect, but then says at least once per year. That's in conflict. He suggested we use: 'maintains the right to inspect' (it's already in the lease) and 'such inspections will be conducted annually with additional inspections as necessary to ensure continued compliance.' If you find a violation, there will need to be additional inspections until compliance is achieved. 4) The County policy eliminated a preliminary statement: "The FAA is adopting the following policy statement on use of hangars at federally obligated airports." It's an important nuance when considering hangars vs. other structures designated for aeronautical use. 5) There are no enforcement mechanisms or administrative appeal processes included. Toby Rickman mentioned that provisions for a path to resolve non-aeronautical uses should be included in the terms of the lease, whether a building or ground lease. The path might be different for a business than for a County-owned hangar. Those terms would be spelled out in the lease itself, rather than the policy. Warren said he's not sure that all leases contain that language now. Meanwhile, we need a temporary addendum that until the lease language incorporates it, this will be the policy. Brad Pattison said there's confusion about what's in the leases; everyone must follow airport rules. Steve Wamback said 1) we are beginning the process to revisit every lease; 2) if the FAA sees a problem, they'll call it to our attention; 3) the approach he took was as a landlord/tenant relationship rather than regulatory. The policy that overlays an existing lease is an issue. We don't want to be the police if we don't have to be. Warren said grant assurances are regulatory. That could result in loss if not followed. On the County side, the policy becomes a bridge between regulations and the lease.

Torsten Arnold is a plane owner and on the condo board. He's got two hangars for sale, and there's another 90X90 for sale. Hangars are available—call us. Brad Pattison said there's a big difference in buying vs. renting hangars.

The vice chair moved on to other topics. The hangar rate study, to be completed by May, may propose a reduction in rates so we might see rates change in the next fiscal year. TNAAC members voted unanimously to reduce rates due to the conditions of the hangars. Toby Rickman said the Performance Audit Committee is in the process of putting together an RFP. Michael Transue for the Council will be hiring an appraiser who will report back to the Performance Audit Committee on the findings. They're required to talk to the TNAAC with the results, and we would submit a proposal for next year's budget by July 1; Council gets the budget and needs a rate ordinance by September to consider it. Brad Pattison asked if there was another pathway to lower the rates for hangars; they're clearly overpriced. Toby said the County Code establishes rates and we don't have authority to adjust rates other than through the Council. Changes would be effective January 1. Steve Wambach noted that the previous minutes show that Lauren Behm said she'd provide a draft of the budget on May 11; however, Lauren won't be back by May 11, and the Division gets its budget forms on May 5; we will still be working to draft the 2018 budget by the next TNAAC meeting in May.

Brad Pattison said that people have asked about Eagle Communications on the south end. There's currently no aviation business there. The concern expressed was that there may be requests for Eagle to move its administrative offices and other operations into that building. Brad asked what's going on; he said the TNAAC should have been consulted. Steve said he authorized a work order for the ALP to relocate Eagle away from the hangar to areas of the airport not at the grade of the runway and move the non-aeronautical use out of the hangar. Brad said we should bring this issue to the next TNAAC meeting to consider land use issue on the airport. Steve said there's a question of whether the ALP allows that use outright. Brad said the downside would be increased traffic.

Brad Pattison asked why we can't have the administrator for airports be an airport person with an aeronautical background. The past administrator was often sidelined onto ferry issues. Maybe there's a different way to do this. Toby said if you have ideas on a better way, please let us know. Our budget is very tight; we barely cover operating expenses with our revenues. There is no room to hire additional staff. The airports can afford three people. We also have to pay for accountants, HR, IT, Council, and Executive functions. We could have an airport administrator, but they'd have to do budgets and everything themselves. We have 7 FTEs in both airports and ferries. Ferries can afford more—it's three times larger than the airports. We've combined them so the ferry is paying for the majority of the employees. We get the benefit of administration by sharing. When we had only Thun, we had 2.5 people for Thun. Brad said this needs to be looked at in different ways. Toby said the administrator position has not yet been filled; we're re-evaluating our next steps.

VI. Adjournment

The chair adjourned the meeting at 8:15 pm.

TO CONTACT THE TACOMA NARROWS AIRPORT ADVISORY COMMISSION	
Regarding any items on this agenda, or any other issues:	
Call:	(253) 798-7250 (Airport Administration)
Fax:	(253) 798-2740
Mail:	Tacoma Narrows Airport Advisory Commission 2702 South 42 nd Street, Suite 201 Tacoma, WA 98409-7322
Email:	pctnaac@co.pierce.wa.us
Submit comments online:	www.piercecountywa.org/tacomannarrows (click on “contact us”)

TNAAC Next Meeting

Date: Thursday, May 11, 2017
Time: 6:30 PM
Location: Location TBD