

Attachment A
Port of Seattle Documentation



Port of Seattle

September 18, 2003

Joe Hickey
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452

Re: Continental Airlines Former Aircraft Fueling System
Seattle-Tacoma International Airport
MTCA No Further Action Status

Dear Mr. Hickey:

Continental Airlines has provided to Ecology documents demonstrating Continental's activities with respect environmental management under MTCA of its former aircraft fuel hydrant system at Seattle-Tacoma International Airport, and has requested that Ecology provide a "no further action" letter under MTCA.

In the process of reviewing Continental's request, Ecology required that Continental obtain from the Port of Seattle, the property owner, a deed restriction or other appropriate property notification, as required in the applicable regulations. In response, the Port provided the "municipal government" alternate documentation permitted by the regulation. We have been informed by Continental that Ecology wishes, in addition, confirmation that the Port of Seattle intends that the current airport property remains in use as an airport, for airport purposes, for the foreseeable future.

Please accept this letter as confirmation that the Port does not have plans to use the Airport property for other than airport purposes.

Sincerely,

Michael D. Feldman
Deputy Managing Director, Aviation Division
Seattle-Tacoma International Airport

cc: Grant Yang, Department of Ecology
Charles R. Blumenfeld, Perkins Coie
Paul Agid, Port of Seattle
Seattle-Tacoma
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March 4, 2003

Mr. Joe Hickey, Coordinator
Brownfields and Voluntary Cleanup Program
Northwest Regional Office
Department of Ecology
3190-160th Avenue S.E.
Bellevue, WA 98008-5452

**Re: Continental Airlines, Inc. (Former Hydrant System; Sea-Tac
International Airport) – Request For No Further Action Letter**

Dear Mr. Hickey:

We are writing in further reference to our November 25, 2002 letter in which we requested, on behalf of Continental Airlines, Inc. ("Continental"), the issuance of a No Further Action ("NFA") letter on the above-referenced site.

As you are aware, the above-referenced site is within the boundaries of Sea-Tac International Airport ("STIA") and owned by the Port of Seattle ("Port"), a municipal corporation. We attached to our November 25 letter a copy of the current "Port of Seattle Sea-Tac International Airport -- Airport Operational Area Institutional Controls" to satisfy the requirements of WAC 173-340-448(8)(b).

I received a telephone call from Grant Yang, of your staff, who had reviewed our November 25 letter. Mr. Yang advised me that the Port's institutional controls needed to address the zoning of the area affected. We discussed this with Paul Agid at the Port, and are enclosing a revised "Port of Seattle Sea-Tac International Airport -- Airport Operational Area Institutional Controls" that addresses the zoning of the property. We have also enclosed a copy of: (1) Section 2.2 of the Port/City of Sea-Tac Interlocal Agreement; (2) the section of the STIA Land Use Designations

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March 4, 2003

Page 2

describing the AVO Zone; (3) the chapter of the City of Sea-Tac's Zoning Code describing the AVO Zone; and (4) the STIA Zoning Map.

We believe that the attached Airport Operational Area Institutional Controls, as revised, satisfy the requirements of WAC 173-340-448(8)(b): the Port is a local governmental agency; it does not routinely file interests in real property at STIA with the county recording officer; and the Airport Operational Area Institutional Controls are an effective alternative to a restrictive covenant. In addition, the Airport Operational Area Institutional Controls makes clear that if the Port subsequently transfers its ownership of any portion of the property, it will comply with the MTCA requirements for institutional controls.

Accordingly, we request that you issue the NFA determination to Continental for the above-referenced site. Please contact Anna Schmidt with Continental's Environmental Affairs Department at (713) 324-6942 or the undersigned if you have any questions.

Thank you very much for your assistance.

Very truly yours,



Charles R. Blumenfeld

CB:cb

cc: Grant Yang, Department of Ecology
Anna Schmidt, Manager, Environmental Affairs
Continental Airlines, Inc.
Paul Agid, Port of Seattle

**PORT OF SEATTLE
SEA-TAC INTERNATIONAL AIRPORT
AIRPORT OPERATIONAL AREA
INSTITUTIONAL CONTROLS**

The following information is provided consistent with WAC 173-340-440(8)(b).

The Port of Seattle is the local government entity that owns and operates Sea-Tac International Airport (STIA). The Port does not routinely file with the county recording officer records related to the Port's interests at Sea-Tac International Airport.

STIA is an industrial property and will remain an industrial property for the foreseeable future. Port properties are zoned Aviation Operations or Aviation Commercial by the City of SeaTac. (See City of SeaTac zoning map and classification description, attached.) The subject environmental management site is located within the Aviation Operations zone.

Institutional controls implemented at Sea-Tac International Airport properties and facilities, both within and outside the Aircraft Operations Area, include the following:

- 1) Site access is restricted with fencing and property signage.
- 2) Construction activity conducted by the Port, Port tenants, and all contractors, or other work that might involve exposure to residual contamination, must be performed in compliance with airport procedures. Compliance with these procedures is required of the Port and all tenants and contractors. The procedures require that Port environmental staff review and approve any such work before it is performed. In addition, most construction or other work mentioned above at STIA requires issuance of a Building/Grading Permit from the Port of Seattle Airport Building Department and/or a Certificate of Port Standards Compliance (COPS) issued by the Port Project Management Group. These approvals are not issued until the Environmental Programs have reviewed and approved the project. See *STIA Project Design Manual* (1/01), and *STIA Tenant Design and Construction Process Manual* (10/02).

The Airport Building Department and COPS processes provide an effective alternative system to meet the requirements of a restrictive covenant. Compliance by the Port, Port tenants, and their contractors with the procedures discussed above results in environmental staff review of proposed projects to verify that such projects do not interfere with a cleanup action (e.g., verify that cap integrity is maintained) or result in a release of hazardous substance.

Should the Port transfer its ownership in any portion of Sea-Tac International Airport that is associated with this Site, the Port will refer to and comply with the MTCA requirements for institutional controls, including deed restrictions, that are in effect at the time of that transfer.

from

1997 ILA, POS/CITY of SEATTLE

1.5.1.3 By Port. The Port Commission shall adopt updates of the Port's Master Plan to implement the coordinated planning conducted under this ¶ 1.

1.5.1.4 Reservation of Rights. The parties voluntarily are undertaking cooperative planning as a resolution of their jurisdictional disputes. Both parties shall cooperate in good faith to avoid appeals or litigation, but neither party is waiving or conceding any legal authority it has with regard to its respective City Comprehensive Plan or Port Master Plan, or the application of the Growth Management Act, Revised Airports Act, Airport Zoning Act, or Port District enabling statutes.

1.5.2 Amendment. From and after the adoption of the respective Plans under ¶ 1.5.1 above, amendments of each party's respective plans shall be reviewed and adopted as provided in ¶ 2.4 below.

2. Zoning/Land Use/Development Regulations.

2.1 Land Use/Zoning Map. The Port Commission and City Council each shall adopt a coordinated land use map that (a) shall be implemented by the City's zoning map; (b) is updated to recognize the Port's Master Plan (e.g., third runway); (c) resolves any discrepancies on the permitted uses of Port-owned property on the perimeter of the Airport (e.g., Seafirst Bank, Bai Tong Restaurant); and (d) reflects the City land use decisions that affect the Airport. Both the City Council and the Port Commission shall adopt the coordinated land use map on or before December 31, 1997 (and the City shall adopt it concurrently with its Comprehensive Plan Amendment).

2.2 Zoning Uses. The Port and City agree upon the two zones and uses for Port-owned property as set forth in Attachment A-2: "Aviation Operation" and "Aviation Commercial."

2.3 Project Implementation and Development Regulations.

[NOTE: Uses not on Attachment A-2 and uses on new Port property are covered in ¶ 2.4, and not this ¶ 2.3.]

2.3.1 Agreed Uses on Existing Port Property. The Port and City hereby establish a system for construction and development of the agreed-upon land uses defined on Attachment A-2 on Port properties that are owned (or included to be owned as indicated in the Port's existing Master Plan) on the effective date of this Agreement as follows:

2.3.1.1 Port Initiation. The Port shall decide the timing, location and type of use so long as consistent with the agreed-upon map and uses in Attachment A-2 and no City permits or approvals are required (except permits covered by the existing ILA described in ¶ 2.3.3), subject to the following process:

2.3.1.2 Project Notice. The Port shall provide a "Project Notice" to the City for each proposed action by the Port using the format set forth in Attachment A-3 (including a full description of compliance with pre-approved development standards). Project Notice shall be sent as early as possible (e.g. initial listing on Port's spread sheet tracking if sufficient detail exists), but in any event no later than the Port's preparation of a SEPA checklist for the project or the Port's determination the action is not covered by SEPA (e.g. categorical exemption).

ATTACHMENT A-2

AGREED MAP AND LAND USES ON PORT PROPERTY

Attached is a map showing two zones: "Aviation Operations" (blue) and "Aviation Commercial" (pink). Also attached are the set of land uses applicable to each zone.

Land Use Designations & Descriptions -- Seattle-Tacoma International Airport
[accompanied by "Port Zoning Map" dated August 4, 1997]

Aviation Operations (AVO) Zone:

The Aviation Operations (AVO) zone is an Airport-owned area designated for development of the range of facilities that provide for safe and efficient commercial aviation operations and support, together with security, access, the needs and convenience of the traveling public, and the handling of air cargo.

Permitted Principal Uses:

- runways, taxiways, & safety areas
- aircraft ramp & parking areas
- airfield lighting
- aviation navigation, communication & landing aids for airport and aircraft operations (P)
- airfield control towers & FAA air traffic control facilities
- meteorological equipment (P)
- communications equipment (P)
- designated airfield safety areas, clear zones, & runway protection zones (P)
- aircraft runup areas
- airport access roadways and public transportation facilities (P)
- airfield infrastructure & utilities serving uses permitted in the zone (P)
- infrastructure and utilities serving other zones or areas (P)
- aircraft fueling systems
- airfield crash/fire/rescue (ARFF) facilities, including staff quarters & offices
- other aviation activities or facilities whose location within the AVO zone is fixed by function by FAA requirements
- passenger terminal facilities, including passenger and baggage handling, ticketing, security checkpoints, waiting areas, restrooms, aircraft loading gates, restaurants, conference facilities, newsstands, gift shops, and other commercial activities providing goods and services for the traveling public
- hotel facilities immediately adjacent and providing direct physical access to passenger terminal facilities
- parking for public and employees (P)
- access, parking, transfer & holding areas, intermodal connections, etc. for public transit, high capacity transit, busses, taxis, shuttles, etc. (P)
- passenger vehicle rental, including parking, service and preparation, and customer facilities (P)
- air cargo aircraft loading and unloading
- air cargo warehousing and customer service facilities (P)
- flight kitchens (P)
- offices and work & storage areas for airline & aviation support (P)
- facilities for the maintenance of aircraft
- facilities for the maintenance of airline & airfield equipment
- facilities for the maintenance of airport & airfield facilities

Permitted Accessory Uses:

- airfield service roads and access improvements (P)
- airfield security facilities such as fencing, gates, guard stations, etc. (P)
- parking and storage for airfield ground service equipment (GSE)

- inter-/intra-terminal transfer facilities for people, baggage, & cargo (P)
- controlled storage of hazardous wastes generated by permitted uses and temporarily stored prior to disposal in accordance with federal and state regulations
- reasonable office and staff facilities to serve uses permitted in the zone
- employee support facilities such as cafeterias, locker rooms, rest areas, restrooms, exercise areas, etc. (P)

Foreign Trade Zone:

- Foreign Trade Zone (FTZ) designation may be applied to uses permitted in AVO listed above. Fencing, access limits, and other security provisions or facilities necessary for FTZ designation are permitted.

Prohibited Uses:

- Any use or facility which is found by either the FAA or the Port to contravene FAA regulations and/or interfere with the safe and efficient operation of the airport
- Any residential use except: 1) public accommodations which serve the convenience of the traveling public or 2) quarters for airport operational staff required for round-the-clock operation response (e.g. ARFF staff)

Aviation Commercial (AVC) Zone:

The Aviation Commercial (AVC) zone is an Airport-owned area designated for development that provides support to operations of the airport, the traveling public, and air cargo, and for other development that provides economic benefit to the Airport and community while maintaining compatibility with Airport operations and activities.

Permitted Principal Uses:

- hotels and convention facilities
- conference facilities
- public parking facilities
- wholesale sales and distribution facilities
- retail sales and distribution facilities
- warehousing and distribution facilities, excluding truck terminals
- those clean light industrial and manufacturing facilities permitted in the City's BP zone as it exists on the date of this Agreement
- airport access roadways and public transportation facilities
- other aviation activities or facilities whose location within the AVC zone is fixed by function by FAA requirements
- facilities for the maintenance of airline & airfield equipment and of airport & airfield facilities, provided that maintenance of heavy equipment (e.g. fuel trucks, runway snowplows) shall be permitted only in the AVO zone
- parking and storage for airline and airfield ground service equipment (GSE) provided that parking and storage for heavy equipment (e.g. fuel trucks, runway snowplows) shall be permitted only in the AVO zone
- infrastructure & utilities supporting uses permitted in the zone
- infrastructure & utilities serving other zones or areas
- any use permitted in the Aviation Operations (AVO) zone and flagged with the (P) indicator

Permitted Accessory Uses:

- reasonable office and staff facilities to serve uses permitted in the zone
- employee support facilities such as cafeterias, locker rooms, rest areas, restrooms, exercise areas, etc.

Foreign Trade Zone:

- Foreign Trade Zone (FTZ) designation may be applied to uses permitted in AVC listed above. Fencing, access limits, and other security provisions or facilities necessary for FTZ designation are permitted. (2)

Prohibited Uses:

- any use or facility which is found by either the FAA or the Port to contravene FAA regulations and/or interfere with the safe and efficient operation of the airport
- any residential use except: 1) public accommodations which serve the convenience of the traveling public or 2) quarters for airport operational staff required for round-the-clock operation response (e.g. ARFF staff)

The following uses are permitted in both the AVC and AVO zones:

Measures that provide environmental protection and/or mitigation of environmental impacts, including:

- measures which provide protection, restoration, or enhancement of a stream, pond, wetland, or associated biological habitat
- measures which relocate, create, or modify a stream, pond, wetland, or associated biological habitat as part of a mitigation plan
- measures which provide compatibility with seismically sensitive areas
- stormwater runoff control and water quality facilities, provided that contaminated water holding ponds and treatment equipment which are part of the Airport's Industrial Waste System (IWS) are permitted only in the AVO zone.

Note: Habitat areas, including streams, wetlands, or other areas with natural flora and fauna, may be modified or maintained to protect the safety of flight operations by controlling height and/or by limiting attraction, roosting, nesting, feeding, or breeding by birds, mammals, or other fauna. FAA guidance or regulations may apply to these uses and conditions.

Public access parks, trails, or viewpoints but only in accordance with the Public Use Special Conditions listed below:

- Public Use Special Conditions
- The following special conditions shall apply to any areas which are designated for public access parks, trails, or viewpoints:
 - Public access or recreational uses shall be limited as necessary to assure compatibility with airport and aviation activities. If use of Port-owned property by the public for access and recreation is permitted, it shall be considered compatible with airport operations, including

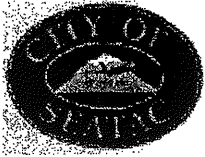
noise and other impacts, and shall not establish a recreation use or other public activity under the U. S. Department of Transportation 4(f) provisions.

- Public use and access shall be generally of low intensity. Density guidelines for numbers of people may be established by the Port and FAA, with input from the public and local jurisdiction. (Examples of such guidelines are represented in the North SeaTac Park leases and tri-party agreements.)
- Public use and access shall be subject to the requirements and needs of airport and aviation activities, including security, as determined by the Port and/or the FAA.

Note: Where the Port determines that a public and community benefit which mitigates impacts of the Airport's facilities and or operations should be provided, the Port may enter into agreements with other public agencies or jurisdictions for the long term development and/or operation of public access parks, trails, or viewpoints. Such agreements shall include language addressing the Public Use Special Conditions and Port review and/or approval of plans for development, operation, and maintenance of such facilities. North SeaTac Park is an example of such an agreement.

Note: The City has accepted the Port's proposal to zone the North SeaTac Park area as AVC based on the following: 1) under the two-zone system AVC is more appropriate than AVO; and 2) the NSTP agreements protect the park program and the City's level of control. The Port also believes the anticipated use of the potential 50-acre transfer from the park would match the AVC designation.

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Chapter 15.25

Development Standards – AVO and AVC Airport Zones

SECTIONS:

- 15.25.010 Purpose**
- 15.25.020 Authority and Application**
- 15.25.030 Administration**
- 15.25.040 Interpretation**
- 15.25.050 Public Notice**
- 15.25.060 Rezoning**
- 15.25.070 Definitions**
- 15.25.080 Zones and Map Designations Established**
- 15.25.090 Zone Classification Use Chart**
- 15.25.100 AVO/AVC Zone Classification Standards**
- 15.25.110 Setback Standards**
- 15.25.120 Lot Coverage**
- 15.25.130 Height Restrictions**
- 15.25.140 Setback Projections**
- 15.25.150 Parking and Circulation**
- 15.25.160 Signage**
- 15.25.170 Illumination (Light/Glare)**
- 15.25.180 Landscape Standards**
- 15.25.190 Design Guidelines**
- 15.25.200 Environmentally Sensitive Area Standards**

15.25.010 Purpose

The purpose of this chapter is to coordinate the City's zoning with the Port of Seattle's Master Plan for the Seattle-Tacoma International Airport; to implement the interlocal agreement (ILA) between the Port of Seattle and the City of SeaTac, dated September 4, 1997; to establish a mutual and cooperative system for exercising their respective statutory authorities; and to standardize the uses and development standards for property along the perimeter of the airport. (Ord. 98-1001 5)

15.25.020 Authority and Application

- A. The provisions of this chapter shall apply to all properties within the City of SeaTac owned or proposed to be owned by the Port of Seattle under the Airport Master Plan (updated August 1, 1996), and related to either aviation operations or aviation commercial uses, as specified in the ILA.
- B. Port of Seattle development standards as referenced by the term "Port standards apply" are those contained in the Port of Seattle's Regulations for Airport Construction (RAC), 1996 Edition. City of SeaTac development standards are those contained in the SeaTac Municipal Code as of April 30, 1997. (Ord. 98-1001 5)

15.25.030 Administration

- A. The City shall administer this chapter consistent with the terms of the ILA and other City ordinances. For non-Port owned property covered by this chapter, the City shall have authority to hold public hearings and make recommendations and decisions on development proposals.
- B. The Port of Seattle shall have the authority to hold public hearings and make recommendations and decisions on development proposals and appeals for proposed uses on Port-owned property, subject to the provisions of the ILA. The City's zone classification use chart implements the agreed land uses that are set forth in ILA Attachment A-2. (Ord. 98-1001 5)

15.25.040 Interpretation

- A. Where changes are proposed to or uncertainties exist as to the location of the zone boundaries or other provisions of this chapter, the procedures contained in the ILA regarding joint consultation and/or dispute resolution shall apply.
- B. For proposed developments that are not listed as "permitted" in the zone classification use chart of this chapter, the provisions of this title shall apply, except as otherwise stated in the ILA. (Ord. 98-1001 5)

15.25.050 Public Notice

- A. Except as specified in Section 2.3.1.2 of the ILA, proposed uses that are specifically listed as "permitted" in the zone classification use chart of this chapter shall be subject to Port requirements for public notice otherwise contained in the SeaTac Municipal Code.

- B. The Port shall provide a “project notice” to the City for each proposed action by the Port using the format set forth in the ILA, Attachment A-3 (including a full description of compliance with pre-approved development standards). Such notice shall be sent as early as possible, in any event no later than the Port’s preparation of a SEPA checklist for the project or the Port’s determination the action is not covered by SEPA (e.g., categorical exemption). (Ord. 98-1001 5)

15.25.060 Rezoning

Except as specified in the interlocal agreement (ILA), the proposed rezoning of property under this chapter shall be subject to the provisions of this title. (Ord. 98-1001 5)

15.25.070 Definitions

Borrow/Surface Mining Operations: The mining, extraction, or excavation of rock, stone, gravel, sand, earth, and other such minerals for removal and use off-site, including transporting minerals to and from the mining site. (Ord. 01-1027 1; Ord. 98-1001 5)

15.25.080 Zones and Map Designations Established

In order to accomplish the purposes of the code, the following zone classifications and zoning map symbols are established:

Zone	Map Symbol
Aviation Operations	AVO
Aviation Commercial	AVC

- A. Aviation Operations (AVO). The purpose of this zoning designation is to provide for safe and efficient commercial aviation operations and support, together with security, access, the needs and convenience of the traveling public, and the handling of air cargo. Note: those properties in the aviation operations zone that were formerly designated “Business Park” as indicated on map Attachment A-6 of the ILA are subject to certain development standards as provided for in Attachment A-4 of the ILA.
- B. Aviation Commercial (AVC). The purpose of this zoning designation is to allow for development that provides support to operations of the airport, the traveling public, and air cargo, and for other development that provides economic benefit to the airport and the City of SeaTac while maintaining compatibility with airport operations and activities. Note: those properties in the aviation

commercial zone that were formerly designated "Business Park" as indicated on map Attachment A-6 of the ILA are subject to certain development standards as provided for in Attachment A-4 of the ILA. (Ord. 98-1001 5)

15.25.090 Zone Classification Use Chart

If this chart does not specify that a proposed land use is permitted, then the proposed land use shall be considered a prohibited land use within the airport zones. This chart may be amended in accordance with the provisions of the ILA.

LAND USE		ZONE CLASSIFICATION	
		AVO	AVC
PERMITTED PRINCIPAL USES			
1A	Runways, Taxiways, and Safety Areas	P	
2A	Aircraft Ramp and Parking Areas	P	
3A	Airfield Lighting	P	
4A	Aviation Navigation, Communication and Landing Aids for Airport and Aircraft Operations	P	P
5A	Airfield Control Towers and FAA Air Traffic Control Facilities	P	
6A	Meteorological Equipment	P	P
7A*	Communications Equipment	P	P
8A	Designated Airfield Safety Areas, Clear Zones and Runway Protection Zones	P	P
9A	Aircraft Runup Areas	P	
10A	Airport Access Roadways and Public Transportation Facilities	P	P
11A	Airfield Infrastructure and Utilities Serving Uses Permitted in Zone	P	P
12A	Infrastructure and Utilities Serving Other Zones or Areas	P	P
13A	Aircraft Fueling Systems	P	
14A	Airfield Crash/Fire/Rescue (ARFF) Facilities, Including Staff Quarters and Offices	P	
15A	Other Aviation Activities or Facilities Whose Location is Fixed by Function by FAA Requirements	P	P
16A	Passenger Terminal Facilities	P(1)	
17A*	Hotel Facilities	P(2)	P(3)
18A*	Parking for Public and Employees	P	P
19A	Access, Parking, Transfer and Holding Areas, Intermodal Connections for Public Transit, High Capacity Transit, Buses, Taxis, Shuttles, and Other Forms of Transportation	P	P
20A*	Passenger Vehicle Rental, Including Parking, Service and	P	P

	Preparation, and Customer Facilities		
21A	Air Cargo Aircraft Loading and Unloading	P	
22A	Air Cargo Warehousing and Customer Service Facilities	P	P
23A	Flight Kitchens	P	P
24A*	Offices and Work and Storage Areas for Airline and Aviation Support	P	P
25A*	Facilities for the Maintenance of Aircraft	P	
26A	Facilities for the Maintenance of Airline and Airfield Equipment	P	P(4)
27A	Facilities for the Maintenance of Airport and Airfield Facilities	P	P(4)
28A*	Heavy Equipment Maintenance	P	
29A	Heavy Equipment Parking and Storage	P	
30A	Parking and Storage for Airline and Airfield Ground Service Equipment (GSE), Excluding the Parking and Storage of Heavy Equipment		P
31A*	Conference Facilities		P
32A	Wholesale Sales and Distribution Facilities		P
33A	Retail Sales and Distribution Facilities		P
34A*	Warehousing and Distribution Facilities		P(5)
35A*	Manufacturing: Furniture/Fixtures		P(6)
36A*	Biomedical Product Facility		P(6)
37A*	Manufacturing: Computer/Office Equipment		P(6)
38A*	Manufacturing: Electronic Assembly		P(6)
39A*	Manufacturing: Aerospace Equipment		P(6)
40A*	Misc. Light Manufacturing		P(6)
41A*	Self-Service Storage		P(6)
42A*	Public Parks, Trails or Viewpoints	P(7)	P(7)
42.1A	Borrow/Surface Mining Operations	P(8)	P(8)
ACCESSORY USES			
43A	Airfield Service Roads and Access Improvements	P	P
44A	Airfield Security Facilities such as Fencing, Gates, and Guard Stations	P	P
45A	Parking and Storage for Airline and Airfield Ground Service Equipment (GSE)	P	
46A	Inter/Intra Terminal Transfer Facilities for People, Baggage, and Cargo	P	P
47A	Office and Staff Facilities to Serve Permitted Uses	P	P
48A	Employee Support Facilities such as Cafeterias, Locker Rooms, Rest Areas, Restrooms and Exercise Areas	P	P
49A*	Temporary On-Site Hazardous Waste Treatment and Storage Facility	P	

* Designates a use that is not exclusive to the AVO and AVC zones.

- (1) Including accessory uses approved in the ILA.
- (2) Limited to hotel facilities immediately adjacent and providing direct physical access to passenger terminal facilities.
- (3) Hotel convention facilities are an allowed associated use.
- (4) Excluding maintenance of heavy equipment (e.g., fuel tanks, runway snowplows).
- (5) Excluding truck terminals.
- (6) Provided that the use conforms with the requirements of SMC 15.13.111(A).
- (7) The following special conditions shall apply to any AVO and AVC zone areas which are designated for public access parks, trails, or viewpoints:
 - Public access or recreational uses shall be limited as necessary to assure compatibility with airport and aviation activities. If use of Port-owned property by the public for access and recreation is permitted, it shall be considered compatible with airport operations, including noise and other impacts, and shall not establish a recreation use or other public activity under the U.S. Department of Transportation 4(f) provisions.
 - Public use and access shall be generally of low intensity. Density guidelines for numbers of people may be established by the Port and FAA, with input from the public and City of SeaTac.
 - Public use and access shall be subject to the requirements and needs of airport and aviation activities, including security, as determined by the Port and/or the FAA.
- (8) Subject to best management practices (BMPs) and the protection of adjacent properties, on a case-by-case basis, as agreed upon in advance between the City and the Port of Seattle. In no case shall a public parking lot be allowed as a use in a former borrow or surface mining operation.

(Ord. 01-1027 2; Ord. 98-1001 5)

15.25.100 AVO/AVC Zone Classification Standards

Development standards not addressed in this chapter shall conform to the Port of Seattle's Regulations for Airport Construction (RAC).
(Ord. 98-1001 5)

15.25.110 Setback Standards

Port standards apply, with the following exception: for properties fronting International Boulevard, the Port shall be required to coordinate development to City setback standards; provided the standards are consistent with the Port's safety and security requirements. (Ord. 98-1001 5)

15.25.120 Lot Coverage

Port standards apply, with the following exception: for properties within the City's current (1997) business park zone, the City's requirements for twenty-five percent (25%) pervious surface shall apply. (Ord. 98-1001 5)

15.25.130 Height Restrictions

Port standards apply. (Ord. 98-1001 5)

15.25.140 Setback Projections

Port standards apply. (Ord. 98-1001 5)

15.25.150 Parking and Circulation

- A. For non-aviation development, such as the Bai Tong Restaurant or the SeaFirst Bank, City parking requirements shall apply.
- B. For the Port's existing parking garages and any new parking garages, the Port's parking standards shall apply.
- C. For aviation-related development that will not be using the Port's remote employee parking lots, City parking requirements will be applied, except in case where:
 - 1. Work sites have multiple work shifts over a twenty-four (24) hour period.
 - 2. Where employees have reasonable access to alternative, non-SOV modes as shuttle vans, buses, taxis, HOVs, or walking.
- D. When one or both of these conditions exist, the City and Port will meet and decide on parking standards on a case-by-case basis.
- E. For aviation-related development that will use the Port's remote airport employee parking lots, the Port's parking requirements will apply. (Ord. 98-1001 5)

15.25.160 Signage

Port standards apply. (Ord. 98-1001 5)

15.25.170 Illumination (Light/Glare)

Port standards apply. (Ord. 98-1001 5)

15.25.180 Landscape Standards

- A. General Standards.
 - 1. Perimeter Landscaping. Port standards apply.
 - 2. Loading Bay Landscaping. Port standards apply.
 - 3. Surface Parking Lot Landscaping. Port standards apply.
 - 4. Service Area Landscaping. Port standards apply.

5. General Landscape Requirements.

- a. Deciduous trees shall have a diameter (caliper) of at least two (2) inches measured four (4) feet above the ground at the time of planting.
- b. Evergreen (broadleaf or conifer) trees shall be at least eight (8) feet in height measured from treetop to the ground at the time of planting.
- c. Shrubs shall be at least twenty-four (24) inches high or wide at the time of planting and shall be a minimum two (2) gallon rootball size.
- d. Groundcovers shall be planted and spaced to result in total coverage of the landscape strip within one (1) year. Groundcovers shall be planted at a maximum of twenty-four (24) inches on center or as approved by the city.
- e. If fences, hedges or other architectural designs are used along street frontage, they shall be placed inward of the landscape strip. Opening shall be provided to accommodate pedestrian circulation requirements.
- f. Berms shall not exceed a slope of three (3) horizontal feet to one (1) vertical foot (3:1).

B. Landscape Standards for Aviation Operations – Business Park and Aviation Commercial – Business Park.

1. Perimeter Landscaping.

- a. Perimeter landscaping shall be located along the property lines of a lot and shall include:
 - i. A minimum twenty (20) foot wide landscape strip adjacent to public rights-of-way consisting of the following:
 - (A) A mix of evergreen and deciduous trees and shrubs spaced to create a filtered screen within three (3) years;
 - (B) At least fifty percent (50%) deciduous trees and at least thirty percent (30%) evergreen trees;
 - (C) Evergreen trees spaced no more than fifteen (15) feet on center;

(D) Deciduous trees spaced no more than twenty (20) feet on center;

(E) Groundcover.

ii. A minimum twenty (20) foot wide landscape strip adjacent to residential zoned properties consisting of the following:

(A) A solid wall of trees and/or a dense hedge with a mix of deciduous and evergreen trees placed to form a continuous screen within three (3) years;

(B) At least seventy percent (70%) evergreen trees;

(C) Evergreen trees spaced no more than fifteen (15) feet on center;

(D) Deciduous trees spaced no more than twenty (20) feet on center;

(E) Evergreen shrubs spaced no more than four (4) feet apart and to achieve a height of six (6) feet within three (3) years;

(F) Groundcover.

2. Loading Bay Landscaping. Loading bays shall be fully screened from residential properties or adjacent rights-of-way using one or a combination of the following methods unless there is conflicting guidance from the FAA or airport security:

a. Orient the building design and layout to screen to loading bays from adjacent residential properties and rights-of-way;

b. Provide twenty (20) feet of Type I landscaping as specified in SMC 15.14.030 between subject property and adjacent residential properties and rights-of-way. Incorporate into the landscape buffer either a minimum six (6) foot high decorative fence or landscape berm, as approved by the Port of Seattle.

3. Surface Parking Lot Landscaping.

a. Surface parking lot landscaping shall provide shade and visual relief, and maintain clear site lines within parking areas. Interior landscaping within surface parking lots shall be a minimum of ten percent (10%) of the interior parking

lot including parking spaces and drive aisles.

b. Parking area landscaping shall consist of:

i. Canopy type trees or broadleaf evergreen trees, evergreen shrubs and a mix of evergreen and deciduous groundcovers planted in wells, raised planters or parking strips;

ii. Shrubs that do not exceed a height of four (4) feet at maturity;

iii. Planting contained in:

(A) Planting wells or parking strips having an area of at least seventy-five (75) square feet and with a narrowest inside dimension of at least five (5) feet in width; or

(B) Planters with a maximum dimension of five (5) feet in length and width;

iv. Planting wells or strips which each contain at least one (1) tree;

v. Groundcover;

vi. Street frontage landscaping can be located in front of or behind the sidewalk.

c. In lieu of the above plantings located within the paved parking areas, landscaping may consist of a landscaped buffer which functions as a visual separator between the parking area and non-airport property. Plant materials within the alternative landscape buffer shall be of the same type, size, number and area as needed to comply with subsections (B)(3)(b)(i) through (vi) of this section.

4. Service Area Landscaping.

a. Service area landscaping provides screening of outdoor storage and dumpster areas, and provides visual relief while maintaining clear sight lines of the airport operation area (AOA) security fence.

b. Service area landscaping shall consist of:

i. A "see-through" buffer which functions as a partial visual separator to soften the appearance of loading and

service areas. "See-through" buffering is intended for use between public streets and airport-related service areas located adjacent to the AOA security fence;

ii. A mix of canopy type deciduous trees, evergreen trees, broadleaf evergreen trees and shrubs spaced to create a continuous canopy within ten (10) years;

iii. At least seventy percent (70%) deciduous trees;

iv. Trees spaced no more than twenty-five (25) feet on center;

v. Shrubs that do not exceed a height of three (3) feet at maturity;

vi. Berms shall not exceed a slope of three (3) horizontal to one (1) vertical foot (3:1);

vii. Landscaping located a minimum of five (5) feet away from the AOA security fence;

viii. Grass ground covering.

c. Exceptions to Service Area Landscaping.

i. Airport-related uses located within the AOA or where landscaping is restricted by either federal regulations or the airport security plan; and

ii. Surface parking areas located within or directly adjacent to the AOA.

5. General Landscape Requirements.

a. Deciduous trees shall have a diameter (caliper) of at least two (2) inches measured four (4) feet above the ground at the time of planting.

b. Evergreen (broadleaf or conifer) trees shall be at least eight (8) feet in height measured from treetop to the ground at the time of planting.

c. Shrubs shall be at least twenty-four (24) inches high or wide at the time of planting and shall be a minimum two (2) gallon rootball size.

d. Groundcovers shall be planted and spaced to result in total coverage of the landscape strip within one (1) year. Groundcovers shall be planted at a maximum of twenty-four

(24) inches on center or as approved by the city.

e. If fences, hedges or other architectural designs are used along street frontage, they shall be placed inward of the landscape strip. Opening shall be provided to accommodate pedestrian circulation requirements.

f. Berms shall not exceed a slope of three (3) horizontal feet to one (1) vertical foot (3:1). (Ord. 98-1001 5)

15.25.190 Design Guidelines

Port of Seattle design guidelines apply to all development within the AVO and AVC zones, except that City of SeaTac design standards as listed under SMC 15.13.111(G) shall also apply to all properties formerly designated as "Business Park" as provided for in Attachment A-4 of the ILA. (Ord. 98-1001 5)

15.25.200 Environmentally Sensitive Area Standards

A. The City's sensitive areas regulations and standards, as they existed on September 4, 1997, shall apply to Port of Seattle land uses except as noted below. The City's standards and regulations shall be applied or modified in recognition of federal regulations or provisions affecting airports.

B. The following are exempt from the City's sensitive area provisions; provided, that they conform to the mitigation measures set forth in the Port Master Plan Final EIS and Final Supplemental EIS:

1. The third runway;
2. Miller Creek stream relocation as shown in the Port's Section 404 Corps Permit Application (ILA-Exhibit C, Section 15.2);
3. Port Master Plan projects without an asterisk (*) in Attachment A-1 of the ILA. (Ord. 98-1001 5)



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November 25, 2002

Mr. Joe Hickey, Coordinator
Brownfields and Voluntary Cleanup Program
Northwest Regional Office
Department of Ecology
3190-160th Avenue S.E.
Bellevue, WA 98008-5452

**Re: Continental Airlines, Inc. – Former Hydrant System; Sea-Tac
International Airport**

Dear Mr. Hickey:

Enclosed is the April 10, 2000 letter which Continental Airlines, Inc. ("Continental") received from the Department of Ecology ("Ecology") regarding the above-referenced site. That letter advised Continental that Ecology was prepared to issue a No Further Action ("NFA") determination provided that Continental provided a restrictive covenant pursuant to the requirements of WAC 173-340-440. Unfortunately, because of changes in personnel at Continental, that process was never completed. We are now submitting appropriate documentation in order to close this matter.

As you are aware, the above-referenced site is within the boundaries of Sea-Tac International Airport and owned by the Port of Seattle ("Port"), a municipal corporation. It is our understanding that the Port and other of its tenants have provided Ecology, in similar situations, with an alternative to a restrictive covenant pursuant to WAC 173-340-440(8)(b). We, therefore, are submitting the "Port of Seattle Sea-Tac International Airport Airport Operational Area Institutional Controls" to satisfy the requirements of WAC 173-340-448(8)(b) and the April 10, 2000 letter. We are authorized to advise you that the Port concurs in this approach.

[20459-0004/SL023030.289]

November 25, 2002

Page 2

Accordingly, we request that you issue the NFA determination to Continental for the above-referenced site. Please contact Anna Schmidt with Continental's environmental divisions at (713) 324-6942 or the undersigned if you have any questions.

Thank you very much for your assistance.

Very truly yours,


Charles R. Blumenfeld

CB:cb

cc: Anna Schmidt
Manager, Environmental Affairs
Continental Airlines, Inc.

Paul Agid
Port of Seattle

**PORT OF SEATTLE
SEA-TAC INTERNATIONAL AIRPORT
AIRPORT OPERATIONAL AREA
INSTITUTIONAL CONTROLS**

The following information is provided consistent with WAC 173-340-440(8)(b).

The Port of Seattle is the local government entity that owns and operates Sea-Tac International Airport (STIA). STIA is an industrial property and will remain an industrial property for the foreseeable future. The Port does not routinely file with the county recording officer records related to the Port's interests at Sea-Tac International Airport.

Institutional controls implemented at Sea-Tac International Airport properties and facilities, both within and outside the Aircraft Operations Area, include the following:

- 1) Site access is restricted with fencing and property signage.
- 2) Construction activity conducted by the Port, Port tenants, and all contractors, or other work that might involve exposure to residual contamination, must be performed in compliance with airport regulations. Compliance with these regulations is required of the Port and all tenants and contractors. Regulations require that Port environmental management staff review and approve any such work before it is performed. See § 2.01.4, Regulations for Airport Construction, 1996 ed. In addition, all construction or other work mentioned above at STIA requires issuance of a Building Permit from the Port of Seattle Airport Building Department. This permit is not issued until the Environmental Programs have reviewed and approved the project.

The Regulations for Airport Construction at Sea-Tac International Airport and the Airport Building Permit process provide an effective alternative system to meet the requirements of a restrictive covenant. Compliance by the Port, Port tenants, and their contractors with the Regulations for Airport Construction and Building Permit process results in environmental management staff review of proposed projects to verify that such projects do not interfere with a cleanup action (e.g., verify that cap integrity is maintained) or result in a release of hazardous substance.

Should the Port transfer its ownership in any portion of Sea-Tac International Airport that is associated with this Site, the Port will refer to and comply with the

MTCA requirements for institutional controls, including deed restrictions, that are in effect at the time of that transfer.

Attachment B
Port of Seattle Confirmation



"Agid, Paul"
<Agid.P@portseattle.org>

To: <Mike.Arnold@erm.com>
cc:
Subject: RE: UAL Fuel Hydrant System Concourses C and D NFA letter

10/17/2005 02:56 PM

10/17, Mike: The information provided in the 9/03 letter attached to your e-mail is accurate currently and for the known future.

If my confirmation is sufficient, this e-mail should take care of the matter. If Ecology requires confirmation from the airport deputy director who signed the 9/03 letter, let me know and I'll see that it is provided....Paul

-----Original Message-----

From: Mike.Arnold@erm.com [mailto:Mike.Arnold@erm.com]
Sent: Monday, October 10, 2005 3:45 PM
To: Agid, Paul
Cc: Tisoncik, Daniel [WHQSY]; Hardy, Debbie; Jim.Warner@erm.com
Subject: UAL Fuel Hydrant System Concourses C and D NFA letter

Paul,

Ecology has one last question before issuing the final NFA for this site - they want assurance that the documentation that was developed for the Continental NFA in September 2003 contains the current zoning and operational standards for SeaTac, i.e., none of the supporting documentation has been changed since 2003.

I have enclosed a pdf of the documentation that Debbie Hardy sent over. If you could confirm the status of the documentation, I would appreciate it.

An email will suffice.

Thank you for your continuing help on this matter.

Mike

(See attached file: SeaTac.pdf)

A. Michael Arnold, L.G., L.H.G.
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(425) 455-3573 (fax)
mike.arnold@erm.com
www.erm.com

"Agid, Paul"

<Mike.Arnold@erm.com>
Daniel [WHQSY]"

<Agid.P@portseattle.org>

To:

cc:

"Tisoncik,

<Dan.Tisoncik@united.com>, "Hardy, Debbie"
08/03/2005 11:17
<Hardy.D@portseattle.org>
AM

Subject: NFA letter

8/3, Mike: I received today a copy of the NFA letter sent by Mark Adams at Ecology. I'm on my way out of town for a while, so I am volunteering info to you that I assume you'll be wanting.

The NFA letter requires a restrictive covenant for finalization. Because the airport is a municipality, it is exempt from the restrictive covenant requirement. See WAC 173-340-448(8)(b). In previous NFA requests for Delta and Continental we have provided a package of materials to the tenant that satisfies the requirements of that exemption, which the tenant has provided in turn to Ecology.

I am sending by mail the relevant documents and associated communications successfully used by Continental, for United's use as a template. When you are ready to submit, please contact Debbie Hardy, at the e-mail address above, and ask her to attempt to get the required senior management letter confirming that the subject property will remain an airport for the foreseeable future (see example in package that you will be getting). This has been a separate, Port-to-Ecology communication that the agency has required in the past. I do not foresee any problem having this issued in my absence.

Please call next week if you have any questions....Paul

Paul W. Agid
Sr. Environmental Program Manager
Aviation Environmental Programs
Port of Seattle
P.O. Box 68727
Seattle, WA 98168
206-439-6604
206-439-6617 (fax)

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Map ID: **52**

Site Description: **Continental Hydrant System**

SITE IDENTIFICATION

General Site Notes/Comments/Narrative

CAL fuel hydrant system fed Jet a from CAL fuel farm to Concourse C gates. Constructed in 1973, decommissioned in 1991. Closure characterization studies in 1994 and 1999, yielded NFA. Final closure in 2012 with Conc C hydrant valve removal. Portions of hydrant system have been removed at gate areas.

This site is related to the other following CPSD sites:

53 - Former Olympic Meter Skid/North Truck Rack Fuel Line

Responsible Party: **CAL**

FACILITY DESCRIPTION

Brief Description of the Facility/Operation/Release/Location:

Former hydrant system extended from CAL fuel farm, around north and west sides of North Satellite, to the west and north sides of Conc C.

Facility Status: **Decommissioned**

Release Observation Date: **1994**

Release Source(s): **Hydrant system operations**

Number of Active Wells..... **0**

Number of Active USTs..... **0**

Number of Decommissioned Wells.... **0**

Number of Closed USTs..... **0**

Well Comments:

Number of Removed USTs..... **0**

UST Comments: **hydrant system lines, partially removed**

AFFECTED MEDIA

Contaminant(s) of Concern: **TPH**

Original Soil Levels..... **>MTCA-A**

Most Recent Soil Levels..... **>MTCA-A**

Max Impacted Soil Data Depth (ft bgs)..... **20**

Clean Below Max Depth?..... **Yes**

Groundwater Impact?..... **No**

Perched Groundwater Impact - INITIAL..... **Not encountered**

Perched Groundwater Impact - MOST RECENT..... **Not encountered**

Qva Groundwater Impact - INITIAL..... **Not encountered**

Qva Groundwater Impact - MOST RECENT..... **Not encountered**

Investigation: **Complete**

Remediation: **Complete**

Monitoring: **Not required**

Site association with MTCA Agreed Order Groundwater Study (GWS): **Site named in GWS Phase 1 Report [KS]**

Map ID: 52
Site Description: Continental Hydrant System

CURRENT CONDITIONS AND STATUS

Current Technical Condition:

COCs > MTCA-A; meets risk-based action levels

Current Technical Condition - Notes/Comments:

NONE

Current Regulatory Status:

Now in VCP

Current Regulatory Status - Notes/Comments:

NFA granted subject to 5yr review

Ecology Report Status: **Submitted**

No Further Action (NFA): **granted**

NFA Date: **10/10/2003**

NFA Note:

Current Property Environmental Management Status:

Closed - contamination remains in place

Current Property Environmental Management Status - Notes/Comments:

NONE

Environmental Reserve Status: **Defender File**

FUTURE MANAGEMENT CONSIDERATIONS

Regulatory Considerations:

In the event of major construction on this site, the following regulatory actions is most appropriate:
Continue current site regulatory process (independent action reporting, VCP, AO, etc.)

Property Management Considerations:

In the event of major Port construction on this site, project planning and design should:
Budget for EA "drive by" level of service and modest costs for impacted materials management.

Cost Recovery Considerations:

A known or current past Tenant or other party is responsible for the contamination that remains on site. At the Port's option and direction, the Responsible Party should either conduct cleanup, or pay for the excess costs or Port management, reuse, or redevelopment of the site. Depending on the Responsible Party's Lease or Operating Agreement, that liability may extend to the indefinite future or terminate with lease expiration. For any such site, consult with Legal and Av/Properties prior to lease expiration to identify options for cost recovery and lease management strategy. Use the following cost recovery information with caution—it is both time-sensitive and depends (to some degree) on the personalities of the negotiating parties.

Current business status of the non-Port Responsible Party (if applicable):

Active, known to be available, with assets

Current business status of the non-Port Responsible Party - Notes/Comments:

Based on experience with this responsible party, the most likely response to a Port notification of responsibility would be:

Accept responsibility and conduct necessary work

Notes/Comments regarding this likely response:

Map ID: **52**

Site Description: **Continental Hydrant System**

EMIS

This site is related to the following Environmental Work Codes in EMIS:

CONHS (Continental Airlines Hydrant Line)
OLPMF (Olympic Pipeline Metering Facility)
CTE (Central Terminal Expansion)

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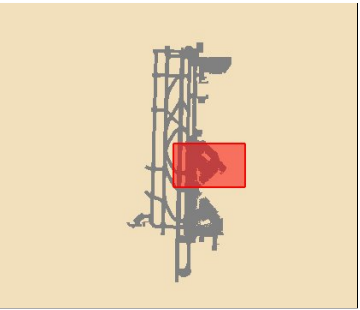
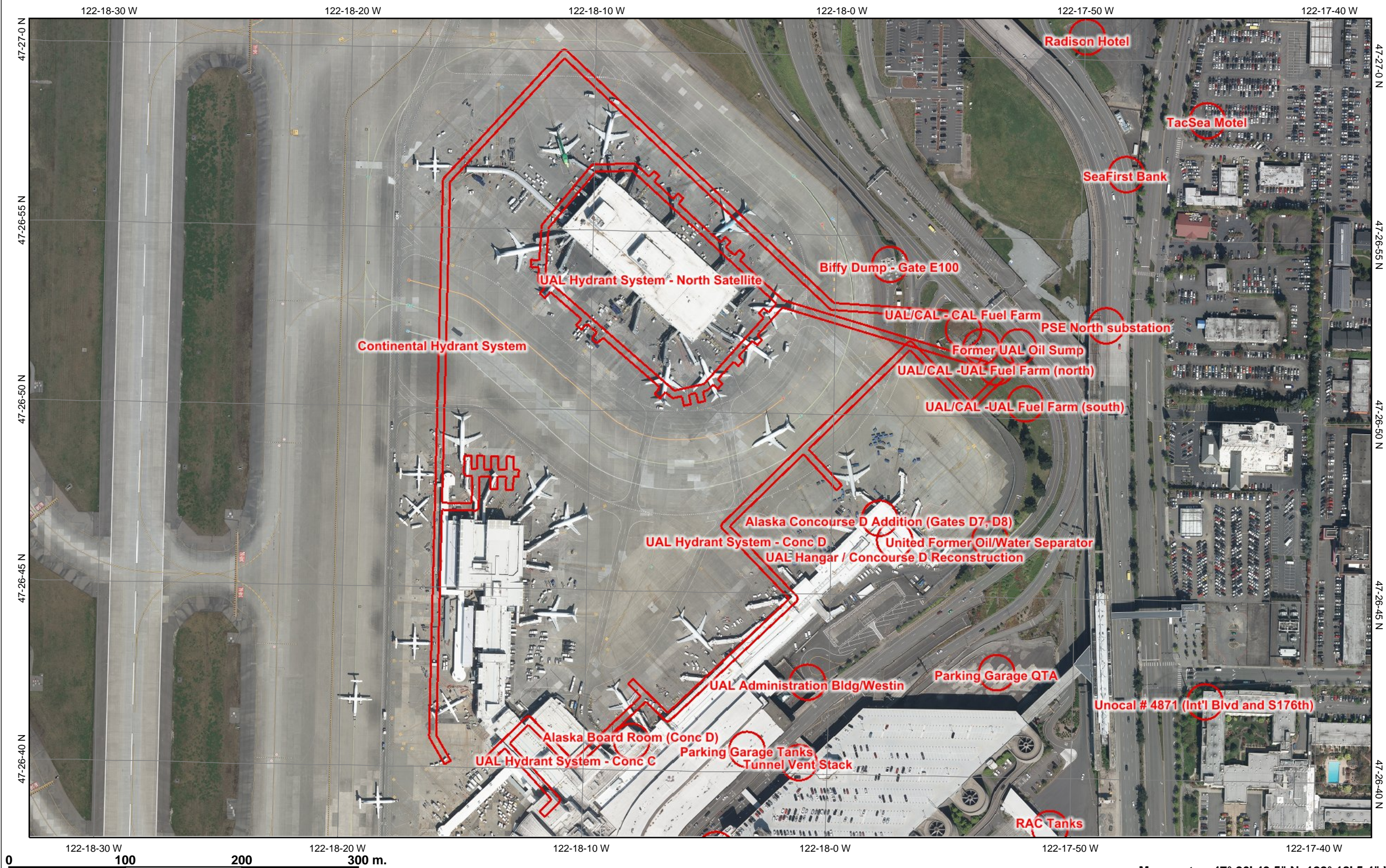
Map ID: **52**

Site Description: **Continental Hydrant System**

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Internet Mapping Framework



Legend

- PeopleSoft Asset Mgt
- ☒ Compliance and Project Status Database (CPSD) Sites
- Cities
 - 2015 Airport South
 - 2015 Airport North

Map center: 47° 26' 49.5" N, 122° 18' 5.4" W

Scale: 1:3,411

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