

**PORT OF SEATTLE**  
**ORDER No. 2024-12 (SUB)**

**AN ORDER OF THE PORT OF SEATTLE COMMISSION**

... to prepare documentation and establish a timeline for Commission action with the goal of permanently designating North SeaTac Park for recreational uses, as outlined in the 2024 Federal Aviation Administration Reauthorization Act.

**ADOPTED**  
**OCTOBER 8, 2024**

**INTRODUCTION**

The Port of Seattle is deeply committed to ensuring the long-term sustainability of the lands, waters, and wildlife in the Puget Sound region as well as the quality of life for local residents. In particular, the Port Commission sees North SeaTac Park as an important natural asset for the environment, for recreation, and for community use.

To that end, the Port partnered with the Washington Congressional delegation to successfully advocate for the inclusion of language in the 2024 Federal Aviation Administration (FAA) Reauthorization Act to allow for “community use of airport land.” Section 706 of the legislation specifically allows the Port to “permanently restrict the use of airport property to compatible recreational and public park use” provided that it meets certain criteria.

To utilize the flexibility provided by this new federal legislation, the airport must provide the FAA with written certification that the property meets the requirements laid out in the legislation. As such, the Commission directs the Executive Director to undertake the process described in Section 706 with the goal of ensuring North SeaTac Park remains a community asset.

**TEXT OF THE ORDER**

The Port Commission hereby directs the Executive Director to undertake the Port activities necessary to meet the requirements described in Section 706 of the FAA Reauthorization Act of 2024, entitled “Community Use of Airport Land”, in order to meet all requirements of the legislative provision necessary to “permanently restrict the use of airport property to compatible recreational and public park use” with respect to, at minimum, the, 55 acres of North SeaTac Park property owned by the Port of Seattle. These activities shall be completed no later than the end of Q1 2025.

The Executive Director shall develop legally binding frameworks to codify the permanent restriction of North SeaTac Park’s use as public parkland. The framework should include legally enforceable mechanisms to ensure that the use of the park for recreational and public purposes are permanent. The legal framework should provide for continued oversight to ensure any future modifications or developments within the park are compatible with FAA regulations and safe operations of the airport. The legally binding frameworks should contemplate various disposition outcomes for NSTP including the sale, lease, or Port of Seattle ownership or other changes in status for NSTP that achieve the goal of permanent protection. The Executive Director shall report to Commission on this framework, with a preferred methodology for the goal of permanently protecting the park, no later than Q2 2025. The Commission shall consider action on the Executive’s recommendation before the end of Q3 2025.

The Executive Director shall include no less than \$150,000 in the Port’s 2025 budget for improvements to North SeaTac Park, in partnership with the City of SeaTac. This funding shall be considered for projects such as the creation of an educational area that highlights the history of the park, cultural landmarks, and/or the natural environment, with the goal of enhancing the park’s value and fostering environmental awareness within the community. The Executive Director shall also consider supporting additional environmental restoration work in the park.

#### **STATEMENT IN SUPPORT OF THE ORDER**

The Port and its neighbors are committed to a shared vision of a sustainable, equitable and prosperous region. As part of that commitment, the Port and the surrounding communities both acknowledge the essential importance of parks and open space – as a key ingredient to provide clean air, to protect against climate change, and to allow for recreational and community uses that contribute to human health and quality of life. North SeaTac Park, property owned by the Port of Seattle, is a core part of that effort.

To that end, the 2024 Federal Aviation Administration Reauthorization Act contains a provision that allows for the Port to preserve North SeaTac Park for such uses. In particular, Section 706 – “Community Use of Airport Land” – states that “the sponsor of a public-use airport shall not be considered to be...in violation of a grant assurance...or under any other provision of law...solely because the sponsor has—

- (A) entered into an agreement, including a revised agreement, with a local government providing for the use of airport property for an interim compatible recreational purpose at below fair market value; or
- (B) permanently restricted the use of airport property to compatible recreational and public park use without paying or otherwise obtaining payment of fair market value for the property.

To qualify under this provision, the airport property must meet certain criteria, including that:

- The airport property was purchased using funds from a federal grant for acquiring land issued prior to January 1, 1989;
- The airport property has been continuously leased or licensed through a written agreement with a governmental entity or non-profit entity for recreational or public park uses since July 1, 2003;
- The airport sponsor has provided a written statement to the Administrator that the property restricted for a recreational use is not currently needed and is not expected to be needed for any aeronautical use in the future;
- The recreational purpose will not impact the aeronautical use of the airport;
- The airport sponsor provides a certification that the sponsor is not responsible for preparation, startup, operations, maintenance, or any other costs associated with the recreational purpose; and
- The recreational purpose is consistent with Federal land use compatibility criteria related to airport operations.

In addition, under Section 706, the property must be leased to a local government entity or non-profit entity to operate and maintain the property at no cost to the airport sponsor; or be sold to a local government entity subject to a permanent deed restriction ensuring compatible airport use. Beyond the Port meeting the criteria of Section 706, restriction of the property for recreational or park use does not require the review or approval of the FAA or the U.S. Secretary of Transportation.

As the work directed by this Order continues, the Port Commission looks forward to further conversations about future use of North SeaTac Park as part of its ongoing discussions with Port leadership, the City of SeaTac, and community stakeholders. We seek to determine the most beneficial way to secure permanent protection of North SeaTac Park as a community recreational and ecological asset.