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COMMISSION

AGENDA MEMORANDUM Item No. 8b

ACTION ITEM Date of Meeting March 26, 2024

DATE: March 5, 2024

TO: Stephen P. Metruck, Executive Director, and Karen Goon, Deputy Executive Director

FROM: Laurel Dunphy, Director Airport Operations

SUBJECT: 5-Year Interlocal Agreement for Waterfowl Management and 2024 Cooperative Service Field Agreement with US Dept of Agriculture

Amount of this request: \$12,500 for 5-Years

Total estimated contract cost: \$12,500 for 5-Years

ACTION REQUESTED

Request Commission authorization for the Executive Director or Designee to sign and execute the next 5-Year Interlocal Agreement for Waterfowl (Canada Goose) Management Program and the first year's Cooperative Service Field Agreement between Port of Seattle and United States Department of Agriculture Wildlife Services to begin in 2024.

EXECUTIVE SUMMARY

Commission authorization is requested for the Executive Director, Deputy Executive Director, or designee to sign and execute the next multi-agency 2024-2028 (5-year) Interlocal Agreement for the Waterfowl (Canada Goose) Management Program and the first year's 2024 Cooperative Service Field Agreement between Port of Seattle and United States Department of Agriculture Wildlife Services so wildlife damage management services can continue. The last 5-year agreement involving the Port expired in 2023. Continuing with these agreements helps the Port meet the intent of Federal Aviation Regulations (FAR) 139.337 and the Wildlife Hazard Management Plan, which is part of the Airport Certification Manual. Total cost for all services provided under these agreements equals \$12,500 (\$2,500 annually) and are included in the airport's baseline Operational Budget for 2024 through 2028.

JUSTIFICATION

- Seattle-Tacoma International Airport's (Airport) Wildlife Hazard Management Plan (WHMP), Appendix 1 of Federal Aviation Administration (FAA)-approved Airport Certification Manual (ACM), requires the Port to manage wildlife that is hazardous to aviation safety.

Template revised January 10, 2019.

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- Canada Geese and other waterfowl have been documented to impact human health and safety by contaminating land and water with their droppings and being a serious risk to aviation safety (reference "Miracle on the Hudson", 2009).
- The Port of Seattle has been a member of the Seattle Waterfowl Management Committee (SWMC) via the Interlocal Agreement for Waterfowl (Canada Goose) Management Program (Interlocal Agreement, ILA) for over a decade to manage local Canada Geese populations at a regional level.
- Port of Seattle participation in the Interlocal Agreement is the only effective way of controlling goose numbers off airport property.

Diversity in Contracting

Not applicable. Request is for an interlocal agreement, not a procurement.

DETAILS

The Port of Seattle is required to manage wildlife hazardous to aviation safety as per the Wildlife Hazard Management Plan (WHMP), Appendix 1 of the FAA-approved Airport Certification Manual (ACM). Canada Geese, large-bodied birds capable of causing significant damage to aircraft, are hazardous to aviation safety.

The Seattle Waterfowl Management Committee (SWMC), established in 1994, is a resource management group that has a mission of maintaining manageable numbers of waterfowl, especially Canada Geese, within King and adjacent counties. The United States Department of Agriculture Wildlife Services (USDA-WS) receives funds from each participating member to continue management efforts that include spring/summer population monitoring, egg addling, and lethal removal. The Port of Seattle, in cooperation with USDA-WS and several SWMC agencies and municipalities, utilizes the Interlocal Agreement as one of many management

approaches to reduce wildlife hazards to aviation.

USDA-WS provides local Canada Goose damage management services via annual Cooperative Service Field Agreements (CSFA) with SWMC stakeholders, including with the Port of Seattle. The cost of USDA-WS services provided under the Interlocal Agreement and CSFA is \$12,500 for 5-years (\$2,500 annually) and is included in the baseline Operational Budget for 2024 through 2028. The attached Interlocal Agreement and CSFA may only be executed by the Executive Director or Deputy Executive Director per Port Policy EX-2 as authorized by the Port of Seattle Commission.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

Alternative 1 – No action.

Cost Implications: Zero.

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Pros:

The Port of Seattle saves \$12,500 for 5 Years (\$2,500 annually).

Cons:

The Port of Seattle risks failing to meet the intent of FAR 139.337 and the Airport's Wildlife Hazard Management Plan (WHMP). If the Port withdraws their participation in the ILA then other agencies may as well, causing the ILA to be less effective at managing local populations. Local Canada Goose populations will increase, and the risk of wildlife strikes with Canada Geese will increase. If increased goose populations result in an aircraft accident the Port of Seattle may be held financially and ethically responsible for failure to act.

Alternative 2 – The Port of Seattle could embark on a new effort to manage local Canada Geese numbers independent of the Interlocal Agreement.

Cost Implications: \$50,000+ for 5 Years (\$10,000+ annually).

Pros:

The Port of Seattle will remain in compliance with FAR 139.337 and the Airport Certification Manual (ACM) and Wildlife Hazard Management Plan (WHMP) so long as the Port takes action to reduce Canada Goose hazards to aviation safety.

Cons:

The Port of Seattle will be required to enter additional agreements with local landowners for land access as Canada Geese breed adjacent to, but not on, Port of Seattle property. The Port of Seattle risks failing to meet the intent of FAR 139.337 and the Airport's Wildlife Hazard Management Plan (WHMP) if local populations cannot be managed in cooperation with landowners. Additionally, the Port of Seattle will be accountable for all wildlife control actions performed under Port-obtained State and Federal permits to perform work on and off Port property. Port of Seattle employees and contractors will be exposed to hazards during the performance of wildlife (Canada Goose) management including working on or near water, working in public spaces, using firearms on public or private property, and driving on public roadways.

Alternative 3 – Recommended (Status Quo) Authorize Executive Director, Deputy Executive Director, or designee to sign and execute 5-Year Interlocal Agreement for Waterfowl (Canada Goose) Management Program and 2024 Cooperative Service Field Agreement between Port of Seattle and United States Department of Agriculture Wildlife Services.

Cost Implications: \$12,500 for 5 Years (\$2,500 annually)

Pros:

The Port of Seattle will remain in compliance with FAR 139.337 and the Airport Certification Manual (ACM) and Wildlife Hazard Management Plan (WHMP). Local Canada Goose populations will be managed by United States Department of Agriculture Wildlife Services (USDA-WS) on a

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regional level via the Interlocal Agreement. USDA-WS will independently obtain any landowner permissions or stakeholder agreements required to access and manage Canada Geese on property not accessible by Port of Seattle employees or contractors. The USDA provides all materials and regulatory permits required to perform Canada Goose management.

Cons:

The Port of Seattle will pay \$12,500 for 5 Years (\$2,500 annually) for Canada Goose management

services.

FINANCIAL IMPLICATIONS

\$12,500 for 5 Years (\$2,500 annually), budgeted in Aviation Operations Wildlife Management baseline operating budget.

ATTACHMENTS TO THIS REQUEST

- (1) 2024-2028 Interlocal Agreement for Waterfowl (Canada Goose) Management Program
- (2) 2024 Cooperative Service Field Agreement
- (3) 2023 Seattle Waterfowl Management Committee Report

PREVIOUS COMMISSION ACTIONS OR BRIEFINGS

(1) December 11, 2018 – The Commission authorized the Executive Director to reauthorize and execute two five-year agreements between the United States Department of Agriculture Wildlife Services and the Port of Seattle for managing human-wildlife conflicts on or near port property for the period January 1, 2019, through December 31, 2023, in the amount of \$1,560,000 for a cooperative service agreement and \$15,000 for an interlocal agreement for a total of \$1,575,000.

(2) August 4, 2015 – The Commission authorized the Chief Executive Officer to execute a multiagency 2015-2018 interlocal agreement between the Port of Seattle and United States Department of Agriculture-Wildlife Services for the Waterfowl (Canada goose) Management Program. The agreement commits the Port to contribution over four years of \$8,920.

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