



Planning and Community Development

Ryan Hembree

Council Initiated:

Yes

No

ECAF: 2025-3604

Motion: 25-546

Type:

Contract

Board Appt.

Code Amendment

Budget Action

Other

Requested Handling:

Normal

Expedite

Urgent

Fund Source:

General Fund

Other

N/A

Executive Rec:

Approve

Do Not Approve

N/A

Approved as to

Form:

Yes

No

N/A

Subject: PFAS Multi-District Litigation Coalition

Scope: Approval of Airport joining MDL Coalition Common Interest, Confidentiality, and Participation Agreement and Legal Services Contract. Agreements will be presented in future motion to Council for approval

Duration: N/A

Fiscal Impact: Current Year Multi-Year N/A

Expenditures	2025	2026	Total
410.52168010.4101	\$5,000	\$100,000	\$105,000
Total	\$5,000	\$100,000	\$105,000

Revenue	2025	2026	Years 1-6 Total
410.321680.0800	\$5,000	\$100,000	\$105,000
Total	\$5,000	\$100,000	\$105,000

Authority Granted:

Approval of the Snohomish County Airport joining MDL Coalition Common Interest, Confidentiality, and Participation Agreement and Legal Services Contract. Agreements will be presented in future motion to Council for approval.

Background:

Snohomish County Airport has discovered PFAS contamination at the Airport, attributable, at least in part, to the historic use of PFAS-containing AFFF for fire suppression purposes. Accordingly, manufacturers of AFFF may have caused or contributed to hazardous waste, substances, pollutants and contaminants on various locations of Airport property causing damage. Legal representation for legal action is necessitated by such hazardous substances, remediation and damages. The Airport desires to assert claims alongside several other airport plaintiffs in ongoing PFAS multi-district litigation ("PFAS MDL"), a consolidated federal docket of cases that have been filed against PFAS manufacturers and join the Airport Coalition. Accordingly, the Airport seeks to enter into the Airport MDL coalition agreement and a legal services agreement for participation in the PFAS MDL.

The Airport MDL Coalition has a joining cost, of \$5,000 for small hub airports, and future annual costs, to be determined, not to exceed \$100,000 cumulatively, without further written approval. The Legal Services agreement is on a contingency fee basis as specified in the contract and all litigation costs, including filing fees, deposition fees, expert fees, are to be determined. It is anticipated that litigation costs could exceed \$100,000 through trial, if necessary.

Request: To move Motion 25-546 to GLS on 12-17-2025 for consideration.