
SENATE BILL 5313

State of Washington

57th Legislature

2001 Regular Session

By Senators Fraser, Long, Patterson, Prentice, Thibaudeau, Winsley, Costa, Franklin and Jacobsen

Read first time 01/18/2001. Referred to Committee on Transportation.

1 AN ACT Relating to noise mitigation projects on state highways;
2 adding new sections to chapter 47.40 RCW; creating a new section; and
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The department of transportation shall
6 develop criteria to be used for evaluating and prioritizing noise
7 mitigation projects. The adopted criteria should be consistent with
8 federal standards for noise abatement, and must at a minimum consider
9 the current level of noise in the affected area, the number of persons
10 who would benefit from a reduction in noise, the reduction in decibels
11 resulting from the mitigation project, and the project cost.

12 For the purposes of this section, "noise mitigation" means a
13 structure, combination of structures, materials, processes, or
14 techniques that have the intended result of permanently reducing, in a
15 primarily residential area, noise associated with the use of a state
16 transportation facility. This definition includes, but is not limited
17 to, "noise wall retrofits" as that term is used in the department's
18 1987 directive D22-22.

1 NEW SECTION. **Sec. 2.** Each biennium the department shall apply the
2 criteria developed under section 1 of this act to develop a ranked
3 priority list of noise mitigation projects. The department shall
4 identify the highest ranked project located in eastern Washington; the
5 highest ranked project located in the greater Puget Sound region; and
6 the highest ranked project in western Washington outside the greater
7 Puget Sound region. The remainder of the list must be displayed in
8 ranked order, without regard to geographic location. The department
9 shall submit the list in support of the biennial budget request under
10 RCW 44.40.070 and 44.40.080.

11 NEW SECTION. **Sec. 3.** For purposes of funding noise wall retrofit
12 projects, in each fiscal year the department of transportation shall
13 expend, as a minimum, a sum equal to five-tenths of one percent of all
14 funds, both state and federal, expended for the construction of state
15 highways in that fiscal year, for that specific purpose. In order to
16 more efficiently program noise wall retrofit projects, the department
17 may defer any part of a fiscal year's appropriation for a period not to
18 exceed four years after the end of the fiscal year in which the
19 original appropriation was made. For a fiscal year in which the
20 department expends for noise wall retrofit purposes more than the
21 minimum sum required by this section, the amount of the excess
22 expenditure constitutes a credit that may be carried forward and
23 applied to the minimum environmental retrofit expenditure requirements
24 for any of the next four fiscal years. The department may apply a
25 portion of this funding towards the review and maintenance of a
26 prioritized list of eligible noise wall retrofit projects.

27 NEW SECTION. **Sec. 4.** The legislature intends that the department
28 of transportation carry out the purposes of this act in a swift manner.
29 Until the department has adopted the project priority criteria
30 specified in section 1 of this act and submitted the list of ranked
31 projects to the legislature, the department shall commence three pilot
32 projects:

33 (1) A feasibility study and project design of a means for reducing
34 noise reflected from an overhead structure, such as a bridge deck.
35 This pilot project should be located in the Puget Sound region;

36 (2) Noise mitigation retrofitting on a highway where lane widening
37 is currently planned, and where the noise mitigation structure can be

1 constructed at substantial cost savings by proceeding concurrently with
2 highway improvements. This pilot project should be located in eastern
3 Washington;

4 (3) Noise mitigation retrofitting in an area adjacent to a six-
5 lane, fully controlled, limited access highway, where the mitigation
6 site is located within one-quarter of a mile from an interchange. This
7 pilot project should be located in western Washington, outside the
8 greater Puget Sound region.

9 NEW SECTION. **Sec. 5.** Sections 1 through 3 of this act are each
10 added to chapter 47.40 RCW.

11 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 immediately.

--- END ---