

# SENATE BILL REPORT

## ESB 5361

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As Passed Senate, March 14, 1995

**Title:** An act relating to areas impacted by aircraft noise.

**Brief Description:** Assisting areas impacted by aircraft noise.

**Sponsors:** Senators Smith and Heavey.

**Brief History:**

**Committee Activity:** Government Operations: 2/14/95, 3/1/95 [DP].  
Passed Senate, 3/14/95, 48-0.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** Do pass.

Signed by Senators Sheldon, Vice Chair; Drew, Hale, Heavey, McCaslin and Winsley.

**Staff:** Diane Smith (786-7410)

**Background:** If an airport serves more than 20 scheduled jet aircraft flights per day and is operated by a port district, the district may undertake a program of aircraft noise abatement.

Before any abatement activities are begun, the port commission must determine the nature and extent of the impact of jet aircraft noise on surrounding areas.

No noise abatement activities may be conducted outside the impacted area, as defined by reference to each runway and a corridor surrounding it.

Provision is made for various programs for remediation, one of which is soundproofing. Only owners of structures who waive damages and grant noise easements to the port district are eligible for soundproofing.

**Summary of Bill:** The impacted area is redefined by reference to a level day-night (DNL) contour map, to be prepared by the port commission referencing federal standards and methodology. Any structure subject to noise levels of 65 DNL or greater is within the impacted area. For Seattle-Tacoma Airport, the contour map is revised based on the data provided by a minimum of six continuous noise monitoring devices placed both inside and outside the 65 DNL contour.

Structures exposed to noise levels below 75 DNL shall not be insulated unless included in a federally approved program.

The port commission shall retain a firm specializing in acoustical insulation to conduct the soundproofing program for structures within the Seattle-Tacoma International Airport impact area.

Properties with structures which cannot be insulated to reduce the noise level below 45 DNL shall be placed on the list of properties eligible for acquisition by the port district.

The appraisal value of structures to be acquired is the fair market value of comparable properties located outside the impacted area.

**Appropriation:** None.

**Fiscal Note:** Requested on February 8, 1995.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** A tremendous amount of money has gone into the noise abatement program with very little to show for it. The current system does not work. Federal guidelines are being violated. With the only noise monitoring being conducted on airport property, there is no proof of violations in the surrounding neighborhoods. Easements are not required by federal rules.

**Testimony Against:** SeaTac Airport has the most aggressive noise abatement program in the country. Passing this bill will cause a disincentive to the airport noise abatement program. Every airport in the state requires navigation easements. They are needed to protect the investment made in the airport.

**Testified:** Dan Caldwell, homeowner (pro); Bill Dolan, Washington Airport Managers Association (con); Diane Summerhays, Port of Seattle; Jeanne Moeller, RCAA (pro); Len Oebser, RCAA (pro); Al Furney (pro).