
SUBSTITUTE HOUSE BILL 2497

State of Washington 65th Legislature 2018 Regular Session

By House Local Government (originally sponsored by Representatives Pellicciotti, Appleton, Orwall, Gregerson, and Fitzgibbon)

READ FIRST TIME 01/26/18.

1 AN ACT Relating to aircraft noise abatement; and amending RCW
2 53.54.010, 53.54.020, and 53.54.030.

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

4 **Sec. 1.** RCW 53.54.010 and 1974 ex.s. c 121 s 1 are each amended
5 to read as follows:

6 A port district operating an airport serving more than (~~twenty~~)
7 nine hundred scheduled jet aircraft flights per day may undertake any
8 of the programs or combinations of such programs, as authorized by
9 this chapter, for the purpose of alleviating and abating the impact
10 of jet aircraft noise on areas surrounding such airport.

11 **Sec. 2.** RCW 53.54.020 and 1984 c 193 s 1 are each amended to
12 read as follows:

13 (1) Prior to initiating programs as authorized in this chapter,
14 the port commission shall undertake the investigation and monitoring
15 of aircraft noise impact to determine the nature and extent of the
16 impact. The port commission shall adopt a program of noise impact
17 abatement based upon the investigations and as amended periodically
18 to conform to needs demonstrated by the monitoring programs(~~(+)~~
19 ~~PROVIDED, That~~). In no case may the port district undertake any of
20 the programs (~~(of)~~) prescribed in this chapter in an area which is:

1 (a) More than (~~six~~) twelve miles beyond the paved end of any
2 runway (~~(or)~~);

3 (b) More than (~~one~~) two miles from the centerline of any runway
4 or from an imaginary runway centerline extending (~~(six)~~) twelve miles
5 from the paved end of such runway; or

6 (c) Outside of the area contained by a parabola where such
7 parabola is located at the terminal end of each runway and whose
8 shape and outer limits are denoted at a point two miles away from the
9 vertex along an x-axis, and at a point twelve miles away from the
10 vertex along a y-axis.

11 (2) Such areas as determined above, shall be known as "impacted
12 areas".

13 **Sec. 3.** RCW 53.54.030 and 1993 c 150 s 1 are each amended to
14 read as follows:

15 (1) For the purposes of this chapter, in developing a remedial
16 program, the port commission may (~~(utilize))~~ take steps as
17 appropriate, including but not limited to one or more of the
18 following programs:

19 (~~(+1))~~ (a) Acquisition of property or property rights within the
20 impacted area, which shall be deemed necessary to accomplish a port
21 purpose. The port district may purchase such property or property
22 rights by time payment notwithstanding the time limitations provided
23 for in RCW 53.08.010. The port district may mortgage or otherwise
24 pledge any such properties acquired to secure such transactions. The
25 port district may assume any outstanding mortgages.

26 (~~(+2))~~ (b) Transaction assistance programs, including assistance
27 with real estate fees and mortgage assistance, and other neighborhood
28 remedial programs as compensation for impacts due to aircraft noise
29 and noise associated conditions. Any such programs shall be in
30 connection with properties located within an impacted area and shall
31 be provided upon terms and conditions as the port district shall
32 determine appropriate.

33 (~~(+3))~~ (c) Programs of soundproofing structures located within
34 an impacted area. Such programs may be executed without regard to the
35 ownership, provided the owner waives damages and conveys an easement
36 for the operation of aircraft, and for noise and noise associated
37 conditions therewith, to the port district.

38 (~~(+4))~~ (d) Mortgage insurance of private owners of lands or
39 improvements within such noise impacted area where such private

1 owners are unable to obtain mortgage insurance solely because of
2 noise impact. In this regard, the port district may establish
3 reasonable regulations and may impose reasonable conditions and
4 charges upon the granting of such mortgage insurance(~~(+PROVIDED,~~
5 ~~That~~)). Such mortgage insurance fees and charges shall at no time
6 exceed fees established for federal mortgage insurance programs for
7 like service.

8 ~~((5) An individual property may be provided benefits by the port~~
9 ~~district under each of the programs described in subsections (1)~~
10 ~~through (4) of this section. However, an individual property may not~~
11 ~~be provided benefits under any one of these programs more than once,~~
12 ~~unless the property is subjected to increased aircraft noise or~~
13 ~~differing aircraft noise impacts that would have afforded different~~
14 ~~levels of mitigation, even if the property owner had waived all~~
15 ~~damages and conveyed a full and unrestricted easement.~~

16 ~~(6)) (e) Management of all lands, easements, or development~~
17 ~~rights acquired, including but not limited to the following:~~

18 ~~((a)) (i) Rental of any or all lands or structures acquired;~~

19 ~~((b)) (ii) Redevelopment of any such lands for any economic use~~
20 ~~consistent with airport operations, local zoning and the state~~
21 ~~environmental policy;~~

22 ~~((c)) (iii) Sale of such properties for cash or for time~~
23 ~~payment and subjection of such property to mortgage or other security~~
24 ~~transaction: PROVIDED, That any such sale shall reserve to the port~~
25 ~~district by covenant an unconditional right of easement for the~~
26 ~~operation of all aircraft and for all noise or noise conditions~~
27 ~~associated therewith.~~

28 ~~((7)) (2) An individual property may be provided benefits by~~
29 ~~the port district under each of the programs described in subsection~~
30 ~~(1) of this section. However, an individual property may not be~~
31 ~~provided benefits under any one of these programs more than once,~~
32 ~~unless the property is subjected to increased aircraft noise or~~
33 ~~differing aircraft noise impacts that would have afforded different~~
34 ~~levels of mitigation, even if the property owner had waived all~~
35 ~~damages and conveyed a full and unrestricted easement.~~

36 (3) A property shall be considered within the impacted area if
37 any part thereof is within the impacted area.

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