
HOUSE BILL 2497

State of Washington

65th Legislature

2018 Regular Session

By Representatives Pellicciotti, Appleton, Orwall, Gregerson, and Fitzgibbon

Read first time 01/10/18. Referred to Committee on Local Government.

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

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

4 **Sec. 1.** RCW 53.54.020 and 1984 c 193 s 1 are each amended to
5 read as follows:

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

14 (a) More than ((six)) twelve miles beyond the paved end of any
15 runway ((ef));

16 (b) More than ((one)) two miles from the centerline of any runway
17 or from an imaginary runway centerline extending ((six)) twelve miles
18 from the paved end of such runway; or

19 (c) Outside of the area contained by a parabola where such
20 parabola is located at the terminal end of each runway and whose
21 shape and outer limits are denoted at a point two miles away from the

1 vertex along an x-axis, and at a point twelve miles away from the
2 vertex along a y-axis.

3 (2) Such areas as determined above, shall be known as "impacted
4 areas".

5 **Sec. 2.** RCW 53.54.030 and 1993 c 150 s 1 are each amended to
6 read as follows:

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

11 ~~((+1))~~ (a) Acquisition of property or property rights within the
12 impacted area, which shall be deemed necessary to accomplish a port
13 purpose. The port district may purchase such property or property
14 rights by time payment notwithstanding the time limitations provided
15 for in RCW 53.08.010. The port district may mortgage or otherwise
16 pledge any such properties acquired to secure such transactions. The
17 port district may assume any outstanding mortgages.

18 ~~((+2))~~ (b) Transaction assistance programs, including assistance
19 with real estate fees and mortgage assistance, and other neighborhood
20 remedial programs as compensation for impacts due to aircraft noise
21 and noise associated conditions. Any such programs shall be in
22 connection with properties located within an impacted area and shall
23 be provided upon terms and conditions as the port district shall
24 determine appropriate.

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

30 ~~((+4))~~ (d) Mortgage insurance of private owners of lands or
31 improvements within such noise impacted area where such private
32 owners are unable to obtain mortgage insurance solely because of
33 noise impact. In this regard, the port district may establish
34 reasonable regulations and may impose reasonable conditions and
35 charges upon the granting of such mortgage insurance ~~((+PROVIDED,~~
36 ~~That)).~~ Such mortgage insurance fees and charges shall at no time
37 exceed fees established for federal mortgage insurance programs for
38 like service.

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

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

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

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

15 ~~((c)) (iii)~~ Sale of such properties for cash or for time
16 payment and subjection of such property to mortgage or other security
17 transaction: PROVIDED, That any such sale shall reserve to the port
18 district by covenant an unconditional right of easement for the
19 operation of all aircraft and for all noise or noise conditions
20 associated therewith.

21 ~~((7)) (2) An individual property may be provided benefits by~~
22 ~~the port district under each of the programs described in subsection~~
23 ~~(1) of this section. However, an individual property may not be~~
24 ~~provided benefits under any one of these programs more than once,~~
25 ~~unless the property is subjected to increased aircraft noise or~~
26 ~~differing aircraft noise impacts that would have afforded different~~
27 ~~levels of mitigation, even if the property owner had waived all~~
28 ~~damages and conveyed a full and unrestricted easement.~~

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

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