

HOUSE BILL REPORT

HB 2315

As Passed Legislature

Title: An act relating to repairing and replacing mitigation equipment installed as part of a remedial program within an impacted area.

Brief Description: Installing, repairing, replacing, and updating mitigation equipment installed within an impacted area.

Sponsors: Representatives Orwall, Fitzgibbon and Pellicciotti.

Brief History:

Committee Activity:

Local Government: 1/22/20, 1/24/20 [DP].

Floor Activity:

Passed House: 2/12/20, 97-0.

Senate Amended.

Passed Senate: 3/4/20, 47-0.

House Concurred.

Passed House: 3/7/20, 97-0.

Passed Legislature.

Brief Summary of Bill

- Allows properties within an impacted area around an airport to be provided with additional aircraft noise abatement benefits if soundproofing or other mitigation impact equipment that had previously been provided is in need of repair or replacement.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 6 members: Representatives Pollet, Chair; Duerr, Vice Chair; Kraft, Ranking Minority Member; Appleton, Goehner and Senn.

Staff: Kellen Wright (786-7134).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A port district operating an airport with more than 20 scheduled jet aircraft flights per day may undertake a noise abatement program to alleviate the impact of jet noise on areas surrounding the airport. The port district may only operate a noise abatement program within an area that is within 1 mile of the centerline of a runway, or within 1 mile of the centerline of an imaginary runway running for 6 miles from the paved end of a runway. The funding for noise abatement programs, however, comes from airport revenue, which is considered federal funding under Federal Aviation Administration (FAA) rules. The FAA limits the use of these funds to areas within 3 miles of the end of a runway, rather than 6.

Within an impacted area, a port may undertake one or more noise abatement programs. The port may acquire affected property directly; assist with transactions involving impacted properties; provide mortgage insurance; and/or soundproof structures.

An individual property can be provided with benefits under multiple programs but can generally only be provided with each kind of benefit once. However, if a property is subsequently subject to increased or different aircraft noise than it was at the time that the benefits were provided, and if these increased or differing noise impacts would have afforded a different level of mitigation at the time benefits were provided, then benefits may again be provided under a program. Federal Aviation Administration-funded noise mitigation projects do not allow for soundproofing or mitigation benefits to be provided more than once, and FAA funding is not available for the replacement of previously installed soundproofing or sound mitigation equipment.

Summary of Bill:

An individual property may be provided with abatement benefits under a program more than once if the property contains a soundproofing installation, structure, or other type of mitigation impact equipment previously installed by the port district that is in need of repair or replacement, as determined by an inspection by the port district. Where mitigation improvements are no longer working as intended, port districts must work with a state certified building inspector to determine whether package failure has resulted in additional hazards or structural damage to the property.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Living near a major airport is an intense experience—it provides jobs, but it is also located in a residential area and homeowners nearby don't only hear the noise but feel it. Noise is not just a nuisance but also a health hazard. Being exposed to aircraft noise can impose huge societal costs, including decreased productivity in work and school. SeaTac is one of the fastest growing airports in the country, with significant recent increases in flights within the last five years. The port has provided assistance to homeowners to mitigate the

noise, but the noise mitigation packages were installed over 20 years ago, and many have failed or were not installed correctly. Due to manufacturer bankruptcy and lack of warranties, homeowners cannot get compensation, and poor construction has created safety issues. Every package is custom made, and, if not done properly, can result in significant problems including structural damage and mold. Packages provided may no longer be serving the purpose they were installed for. Over the years since the packages were installed, expertise and equipment available have both improved. This bill would help remedy a bad situation, help homeowners to sleep, and to have increased quality of life despite living near the airport. The bill should focus on those who have been impacted the most, and should provide guidelines for what constitutes equipment failure. For the families near an airport, this is the most important piece of legislation this session.

(Opposed) None.

Persons Testifying: Representative Orwall, prime sponsor; Sharyn Parker; Debi Wagner and Larry Cripe, Quiet Skies Coalition; Kyle Moore, City of SeaTac; Eric Ffitch, Port of Seattle; J.C. Harris, Des Moines City Council; and Anthony Hemstad, City of Des Moines.

Persons Signed In To Testify But Not Testifying: None.