

SENATE BILL REPORT

ESHB 1791

As Passed Senate - Amended, April 12, 2023

Title: An act relating to studying the need for increased commercial aviation services.

Brief Description: Studying the need for increased commercial aviation services.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Fey, Dent, Morgan, Barkis, Mena, Couture, Griffey, Bronoske, Ybarra, Christian, Timmons, Donaghy, Berg and Doglio).

Brief History: Passed House: 3/8/23, 88-9.

Committee Activity: Transportation: 3/21/23, 4/04/23 [DPA, DNP, w/oRec].

Floor Activity: Passed Senate - Amended: 4/12/23, 31-17.

Brief Summary of Bill (As Amended by Senate)

- Creates a Commercial Aviation Work Group to replace the Commercial Aviation Coordinating Commission.
- Requires the Washington State Department of Transportation to evaluate long-range aviation needs in the broader context of state transportation needs.
- Requires the Commercial Aviation Work Group to investigate the expansion of existing airports and potential siting locations for greenfield sites.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland, Hawkins, Kauffman, MacEwen, Nobles, Randall, Valdez and Wilson, C..

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

Minority Report: Do not pass.
Signed by Senator Fortunato.

Minority Report: That it be referred without recommendation.
Signed by Senators Lovelett, Padden and Wilson, J..

Staff: Jenna Forty (786-7755)

Background: The Commercial Aviation Coordinating Commission (Commission) was created by the Legislature in 2019 to seek a location for a new primary aviation facility in Washington, including expansion of an existing airport facility, with a recommendation by January 1, 2022. Extensions to the work of the Commission were authorized by the Legislature in the 2021 and 2022 Transportation budgets.

The Commission is comprised of fifteen voting members appointed by the Governor, and eleven non-voting members. The Commission is required to report to the Legislature on the work to identify potential airport locations in three phases:

- phase one—an initial list of six possible locations by January 1, 2021;
- phase two—a list of top two locations by October 15, 2022; and
- phase three—a single preferred location recommendation by June 15, 2023.

Options for a new primary commercial aviation facility may not include siting a facility on or in the vicinity of a military installation or impede the operations of its mission requirements. A development timeline must be completed by the Commission for an additional commercial aviation facility to be complete and functioning by 2040. The Washington State Department of Transportation (WSDOT) is required to provide staff and administrative support to the Commission. The Commission's authority expires June 30, 2023.

Summary of Amended Bill: The Commercial Aviation Work Group is created consisting of 19 voting members representing various interests. WSDOT must provide staff support for coordination and administration of the work group, and may hire consultants for assistance at the direction of the work group and as resources allow.

The work group must evaluate the long-range commercial aviation needs of Washington within the broader context of state transportation needs, including the investigation of expanding existing aviation facilities and siting new greenfield aviation facilities. The work group must consider impacts of any location including quality of life, environmental impacts, existing county master plans and local zoning, and current airspace operations.

The work group is required to conduct outreach with federal agencies, including the Federal Aviation Administration, tribes, economic development agencies, and local and environmental communities.

Expansion of existing port or county run airports in a county with a population of 2,000,000 or greater, and expansion or siting that would be incompatible with military operations, may not be considered by the work group.

The work group must submit a progress report to the Legislature by July 1, 2024, and each year thereafter. The first report must include a list of areas that are excluded from further consideration due to conflict with military operations.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: Yes.

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

Staff Summary of Public Testimony on Engrossed Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: In support of the bill to increase the parameters of the search. New terminal coming to Yakima in 2027, would like Yakima to be considered a partial or total solution.

The bill addresses needs for a broader look at options.

JBLM supports ESHB 1791, and the possibility to correct oversight by the CACC. CACC proposed sites that interfered with military operations. The bill can go further to ensure no military interference. Add DOD rep as a voting member.

CON: ESHB 1791 needs amended to include Sea-Tac. It forbids study of military sites and King county. Citizens deserve unbiased analysis.

The bill is in danger of repeating CACC mistakes. Needs expiry and minority report added. PSRC report not sourced for general good. Change selection for workgroup to a public process. Representation from rail should be included. Economic benefit is highly exaggerated.

Opposition due to Enumclaw being put back into consideration. Enumclaw plateau is too ecologically important to continue consideration.

OTHER: Support the disbanding of the CACC. The sites should be removed, they were selected outside of the bill parameters. Need to have an expiration for the group. PSRC projections are industry driven and inflated. Support rail alternatives, disband the CACC.

Persons Testifying: PRO: Representative Jake Fey, Prime Sponsor; JC Harris, SeaTacNoise.Info; Davor Gjurasic, Nisqually Indian Tribe; Bennett Butters; Dawn Sonntag,

Stop The Airport; Bill Adamson, South Sound Military & Communities Partnership; Patricia Byers, Councilmember, City of Yakima; Tom Dent, WA State House Representative.

CON: Breck Lebegue, WA Physicians for Social Responsibility; Kym Anton, Enumclaw Plateau Community Association; Dylan Orion; Mac Nicholson, King County; Ursula Euler.

OTHER: Brian Jarrell; Neil Strege, Washington Roundtable; Laura Orion.

Persons Signed In To Testify But Not Testifying: No one.