

# SENATE BILL REPORT

## SB 6214

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As Reported by Senate Committee On:  
Local Government, January 30, 2020

**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:** Senator Keiser.

**Brief History:**

**Committee Activity:** Local Government: 1/16/20, 1/30/20 [DP].

**Brief Summary of Bill**

- Allows a property to receive benefits more than once under a noise abatement program, if the property contains a soundproofing installation, structure, or other type of mitigation impact equipment in need of repair or replacement.

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### SENATE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass.

Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

**Staff:** Greg Vogel (786-7413)

**Background:** Noise abatement programs generally focus on reducing the noise produced by aircraft while on the ground, during takeoffs and landings, and during flights over populated areas.

A port district that operates an airport serving more than 20 scheduled jet aircraft flights per day may undertake a program of aircraft noise abatement.

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*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.*

Prior to initiating any noise abatement activities, the port commission must determine the nature and extent of the impact of aircraft noise on surrounding areas. No noise abatement activities may be conducted outside an impacted area. An impacted area is limited to no more than 6 miles beyond the paved end of any runway, or more than 1 mile from the centerline of any runway, or from any imaginary runway centerline extending 6 miles from the paved end of such runway.

The port commission may employ a number of remedial programs for noise abatement. Among other items, the aircraft noise abatement program may include the purchase of property, transaction assistance—assistance for selling a home, and mortgage insurance for private land owners who are unable to obtain mortgage insurance due to the noise impact, and soundproofing structures. A property owner may receive benefits more than once under each separate noise abatement program, if the property is subjected to increased aircraft noise or differing aircraft noise impacts that would have afforded different levels of mitigation, even if the property owner had waived all damages and conveyed a full and unrestricted easement.

**Summary of Bill:** A property may receive benefits more than once under any one of the noise abatement programs, if the property contains a soundproofing installation, structure, or other type of mitigation impact equipment or benefit previously installed pursuant to a remedial program provided by the port district, that is in need of repair or replacement.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: There is a long time relationship with the airport and the residents of the surrounding area, and in the past, residents have been able to access sound mitigating measures to lessen noise impacts in their lives. The provision of mitigation packages, however, happened a long time ago—like 20 years. Today, many of the soundproofing improvements are failing. Homeowners and schools are asking for replacement and repair, but the port says they cannot legally provide replacement or repair because that would be a gift of public funds.

Operations at SeaTac have increased significantly. There are continuous flights, including at night time. At the current decibel levels, the sound can keep people awake at night. Residents are no longer provided the noise protection intended. There is language being worked on in the bill about what exactly, in need of a repair or replacement, would mean.

**Persons Testifying:** PRO: Senator Karen Keiser, Prime Sponsor; Nancy Tosta, City of Burien; Josh Weiss, City of SeaTac; Eric Fitch, Port of Seattle; Anthony Hemstad, City of Des Moines; Jay C. Harris, City Counsel of Des Moines.

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