
HOUSE BILL 1791

State of Washington

68th Legislature

2023 Regular Session

By Representatives Fey, Dent, Morgan, Barkis, Mena, Couture, Griffey, Bronoske, Ybarra, Christian, Timmons, Donaghy, Berg, and Doglio

Read first time 02/07/23. Referred to Committee on Transportation.

1 AN ACT Relating to studying the need for increased commercial
2 aviation services; amending 2022 c 186 s 213 (uncodified); adding a
3 new chapter to Title 14 RCW; repealing 2022 c 186 s 707 (uncodified);
4 and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds:

7 (a) The state's transportation needs are growing and it is
8 imperative that the state plan comprehensively to meet the needs of
9 its citizens, particularly in the fastest growing regions of the
10 state;

11 (b) That planning for the future of aviation must take a
12 comprehensive coordinated look at the transportation system as a
13 whole;

14 (c) The pandemic interfered with the ability of the commercial
15 aviation coordinating commission to perform a thorough and complete
16 study of the possibility of a new commercial airport to meet the
17 expected growth;

18 (d) The creation of a new primary commercial aviation facility
19 has the potential for large impacts on the surrounding communities;
20 and

1 (e) There is expected growth in commercial aviation, general
2 aviation, and air cargo operations.

3 (2) The legislature, therefore, intends to replace the commercial
4 aviation coordinating commission with the commercial aviation
5 coordinating work group and direct the work group to provide a
6 comprehensive investigation of airport capacity in the state and the
7 best way to address aviation needs in the context of overall state
8 transportation needs in the next 20 years.

9 NEW SECTION. **Sec. 2.** (1) The state commercial aviation
10 coordinating work group is created to carry out the functions of
11 section 3 of this act. The work group shall consist of 19 voting
12 members.

13 (2) The governor shall appoint 19 voting members to represent the
14 following interests:

15 (a) Four as representatives of commercial service airports and
16 ports, one of whom shall represent a port located in a county with a
17 population of 2,000,000 or more, one of whom shall represent a port
18 in eastern Washington with an airport runway of at least 13,500 feet
19 in length, one of whom shall represent a commercial service airport
20 in eastern Washington located in a county with a population of
21 400,000 or more, and one representing an association of ports;

22 (b) Three as representatives from the airline industry or
23 businesses dependent upon air service;

24 (c) Seven citizen representatives with at least two appointed
25 from eastern Washington and at least two appointed from western
26 Washington. The citizen appointees must:

27 (i) Represent the public interests in the communities that are
28 included in the work group's site research; and

29 (ii) Understand the impacts of a large commercial aviation
30 facility on a community;

31 (d) A representative from the freight forwarding industry;

32 (e) A representative from the trucking industry;

33 (f) A representative from a community organization that
34 understands the impacts of a large commercial aviation facility on a
35 community; and

36 (g) Two representatives from statewide environmental
37 organizations.

38 (3) The work group shall invite the following nonvoting members:

39 (a) A representative from the Washington state aviation alliance;

1 (b) Two members from the senate, with one member from each of the
2 two largest caucuses in the senate, appointed by legislative
3 leadership;

4 (c) Two members from the house of representatives, with one
5 member from each of the two largest caucuses in the house of
6 representatives, appointed by legislative leadership;

7 (d) A representative from the department of commerce;

8 (e) A representative from the division of aeronautics of the
9 department of transportation;

10 (f) A representative from an eastern Washington metropolitan
11 planning organization;

12 (g) A representative from a western Washington metropolitan
13 planning organization;

14 (h) A representative from an eastern Washington regional airport;
15 and

16 (i) A representative from a western Washington regional airport.

17 (4) The work group shall select a chair from among its voting
18 membership and shall adopt rules related to its powers and duties
19 under section 3 of this act.

20 (5) Legislative members of the work group are reimbursed for
21 travel expenses in accordance with RCW 44.04.120. Nonlegislative
22 members are not entitled to be reimbursed for travel expenses if they
23 are elected officials or are participating on behalf of an employer,
24 governmental entity, or other organization. Any reimbursement for
25 other nonlegislative members is subject to chapter 43.03 RCW. The
26 work group has all powers necessary to carry out its duties as
27 prescribed by section 3 of this act.

28 (6) The department of transportation shall provide staff support
29 for coordinating and administering the work group and technical
30 assistance as requested by work group members.

31 (7) At the direction of the work group, and as resources allow,
32 the department of transportation is authorized to hire consultants to
33 assist with the review and research efforts of the work group.

34 NEW SECTION. **Sec. 3.** (1) The state commercial aviation
35 coordinating work group shall comprehensively evaluate the long-range
36 commercial aviation needs of Washington within the broader context of
37 state transportation needs and the specific needs of western
38 Washington. The work group shall review existing data and conduct
39 research to determine Washington's long-range commercial aviation

1 facility needs while considering alternatives to additional airport
2 capacity.

3 (2) (a) Except as provided in subsection (3) of this section, the
4 work group shall investigate the expansion of existing aviation
5 facilities and possible siting locations for a new greenfield
6 aviation facilities, with the expected outcome to be a report that
7 compares the strengths and weaknesses of each site considered. In
8 this investigation, the work group shall consider both new sites and
9 those previously identified in previous aviation planning documents.
10 The work group must consider all impacts that, whether by the
11 expansion of a current facility or the location of a new greenfield
12 site, the creation of a new primary commercial aviation facility may
13 have, including impacts on community members, quality of life,
14 environmental impacts, alignment with county master plans and other
15 local planning and zoning, and current airspace operations.

16 (b) The work group shall:

17 (i) Perform outreach to and make efforts to collaborate with:

18 (A) Applicable federal agencies including the federal aviation
19 administration, the United States environmental protection agency,
20 and the United States department of energy;

21 (B) Indian tribes, as defined in RCW 43.376.010;

22 (C) The environmental community;

23 (D) Local communities;

24 (E) Economic development agencies;

25 (ii) Identify potential site infrastructure shortfalls and make
26 recommendations as to how they could be most suitably addressed,
27 including the feasibility of the specific transportation
28 infrastructure required to move people to the potential site. This
29 process includes the delivery of an adequate supply of aircraft fuel
30 and supporting infrastructure along with facilities needed to
31 transition to the use of sustainable aviation fuels;

32 (iii) Consider the cost of construction of a facility and
33 supporting infrastructure;

34 (iv) In cooperation with the federal aviation administration,
35 analyze:

36 (A) Airspace requirements and airspace restrictions of potential
37 sites;

38 (B) Any possible terrain and man-made obstacles that could
39 possibly create a hazard to aircraft;

1 (C) Local weather patterns and microclimates to determine if they
2 will create issues for the operation of large aircraft; and

3 (v) Carry out other duties as assigned by the legislature.

4 (3) The work group shall not consider:

5 (a) Expansion opportunities for a port or county run airport
6 located in a county with a population of 2,000,000 or more; or

7 (b) The expansion of an existing airport or the siting of a new
8 airport that would be incompatible with the operations of a military
9 installation.

10 (4) In addition, the work group shall provide information to the
11 transportation committees of the legislature on the future of
12 aviation growth in the state, including potential commercial
13 aviation, general aviation, and air cargo demands, with consideration
14 of new technologies, alternative transportation modes, and the
15 airport of the future.

16 (5) Nothing in this section shall be construed to endorse, limit,
17 or otherwise alter existing or future plans for capital development
18 and capacity enhancement at existing commercial airports in
19 Washington.

20 NEW SECTION. **Sec. 4.** The state commercial aviation coordinating
21 work group shall submit a progress report to the governor and the
22 transportation committees of the legislature by January 1, 2024, and
23 annually thereafter.

24 **Sec. 5.** 2022 c 186 s 213 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

27 Aeronautics Account—State Appropriation.	\$8,127,000
28 Aeronautics Account—Federal Appropriation.	\$3,916,000
29 Aeronautics Account—Private/Local Appropriation.	\$60,000
30 Multimodal Transportation Account—State 31 Appropriation.	\$150,000
32 TOTAL APPROPRIATION.	\$12,253,000

33 The appropriations in this section are subject to the following
34 conditions and limitations:

35 (1) \$2,888,000 of the aeronautics account—state appropriation is
36 provided solely for the airport aid grant program, which provides

1 competitive grants to public use airports for pavement, safety,
2 maintenance, planning, and security.

3 (2) \$257,000 of the aeronautics account—state appropriation is
4 provided solely for supporting the commercial aviation coordinating
5 (~~commission~~) work group, pursuant to section (~~718, chapter 333,~~
6 ~~Laws of 2021~~) 3 of this act.

7 (3) \$280,000 of the aeronautics account—state appropriation is
8 provided solely for the implementation of chapter 131, Laws of 2021
9 (unpiloted aircraft system state coordinator). If chapter 131, Laws
10 of 2021 is not enacted by June 30, 2021, the amount provided in this
11 subsection lapses.

12 (4)(a) \$150,000 of the multimodal transportation account—state
13 appropriation is provided solely for the aviation program to continue
14 the community engagement associated with the work of the commercial
15 aviation coordinating (~~commission to increase aviation capacity and~~
16 ~~provide a single preferred location for a new primary commercial~~
17 ~~aviation facility by June 15, 2023~~) work group. The work of the
18 (~~commission~~) work group shall include, but is not limited to,
19 recommendations to the legislature on future Washington state long-
20 range commercial aviation facility needs including possible
21 additional aviation facilities or expansion of current aviation
22 facilities.

23 (b) Community engagement efforts (~~may~~) shall include:

24 (i) Raising awareness among aviation stakeholders and the public
25 on the complex issues that must be addressed by the (~~commission~~)
26 work group;

27 (ii) Obtaining input from a representative cross section of the
28 public on the construction of a new airport and the expansion of
29 existing airports to meet future aviation demand;

30 (iii) Keeping people informed as the (~~commission's~~) work
31 group's work progresses, including diverse communities that are often
32 underrepresented in processes to inform decision making;

33 (iv) (~~Providing opportunities for members of the public to~~
34 ~~provide direct input to the commission during the pandemic that~~
35 ~~limits opportunities for direct social contact~~;

36 (~~v~~)) Using surveys, open houses, focus groups, translation
37 services, informational handouts, advertisements, social media, and
38 other appropriate means of communicating with the public; and

1 (~~(vi)~~) (v) Providing a focus on the demographics or people in
2 the geographical areas most impacted by expanding aviation capacity
3 or developing a new aviation facility.

4 (c) The department may use a communications consultant or
5 community-based organizations to assist with community engagement
6 efforts in (b) of this subsection.

7 NEW SECTION. **Sec. 6.** Sections 1 through 4 of this act
8 constitute a new chapter in Title 14 RCW.

9 NEW SECTION. **Sec. 7.** 2022 c 186 s 707 (uncodified) is repealed.

10 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of
12 the state government and its existing public institutions, and takes
13 effect immediately.

(End of Bill)

DEPARTMENT OF TRANSPORTATION

AVIATION—PROGRAM F. 5

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