
HOUSE BILL 1948

State of Washington **69th Legislature** **2025 Regular Session**

By Representatives Santos, Thai, Parshley, Pollet, Obras, and Macri

Read first time 02/11/25. Referred to Committee on Local Government.

1 AN ACT Relating to reducing environmental and health disparities
2 and improving the health of Washington state residents in large port
3 districts; and adding a new chapter to Title 53 RCW.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires
7 otherwise.

8 (1) "Cumulative environmental health impact" has the same meaning
9 as in RCW 70A.02.010.

10 (2) "Environmental benefits" has the same meaning as in RCW
11 70A.02.010.

12 (3) "Environmental harm" has the same meaning as in RCW
13 70A.02.010.

14 (4) "Environmental impacts" has the same meaning as in RCW
15 70A.02.010.

16 (5) "Evidence-based" has the same meaning as in RCW 70A.02.010.

17 (6) "Overburdened communities" has the same meaning as in RCW
18 70A.02.010.

19 (7) "Qualifying port district" means a port district authorized
20 to undertake programs for the abatement of aircraft noise under RCW
21 53.54.010.

1 (8) "Significant port action" means any action involving a
2 capital improvement project, purchase, or construction of \$8,000,000
3 or more in value or any action that increases the number of gates at
4 an airport.

5 (9) "Vulnerable populations" has the same meaning as in RCW
6 70A.02.010.

7 NEW SECTION. **Sec. 2.** (1) A qualifying port district must
8 include an environmental justice implementation plan within its
9 strategic plan. A qualifying port district may additionally
10 incorporate an environmental justice implementation plan into other
11 significant port planning documents. The plan must describe how the
12 qualifying port district plans to apply the principles of
13 environmental justice to port district activities and must guide the
14 qualifying port district in its implementation of its obligations
15 under this chapter.

16 (2) In its environmental justice implementation plan, each
17 qualifying port district must include:

18 (a) Port district-specific goals and actions to reduce
19 environmental and health disparities and for otherwise achieving
20 environmental justice in port district programs;

21 (b) Metrics to track and measure accomplishments of the port
22 district's goals and actions;

23 (c) Methods to embed equitable community engagement with, and
24 equitable participation from, members of the public, into port
25 district practices for soliciting and receiving public comment;

26 (d) Strategies to ensure compliance with existing federal and
27 state laws and policies relating to environmental justice, including
28 Title VI of the civil rights act of 1964, 42 U.S.C. Sec.
29 2000d-2000d-4; Title IX of the education amendments of 1972, 20
30 U.S.C. Sec. 1681-1683; section 504 of the rehabilitation act of 1973,
31 29 U.S.C. Sec. 794; and the age discrimination act of 1975, 42 U.S.C.
32 Sec. 6101-6107;

33 (e) The plan for community engagement required under section 3 of
34 this act; and

35 (f) Specific plans and timelines for incorporating environmental
36 justice considerations into the qualifying port district's activities
37 as required under this chapter.

1 NEW SECTION. **Sec. 3.** (1) By January 1, 2026, a qualifying port
2 district must create and adopt a community engagement plan that
3 describes how it will engage with overburdened communities and
4 vulnerable populations as it evaluates new and existing activities
5 and programs. This plan must describe how the qualifying port
6 district plans to facilitate equitable participation and support
7 meaningful and direct involvement of vulnerable populations and
8 overburdened communities. The plan must include:

9 (a) How the qualifying port district will identify and prioritize
10 overburdened communities for purposes of this chapter;

11 (b) Best practices for outreach and communication to overcome
12 barriers to engagement with overburdened communities and vulnerable
13 populations;

14 (c) Use of special screening tools that integrate environmental,
15 demographic, and health disparities data to evaluate and understand
16 the nature and needs of the people who the qualifying port district
17 expects to be impacted by significant port actions and processes to
18 overcome barriers to participation;

19 (d) Processes that facilitate and support the inclusion of
20 members of communities affected by port district decision making
21 including, to the extent legal and practicable, but not limited to,
22 child care and reimbursement for travel and other expenses; and

23 (e) Methods for outreach and communication with those who face
24 barriers, language or otherwise, to participation.

25 (2) A qualifying port district must regularly review their
26 compliance with existing laws and policies that guide community
27 engagement and must comply with the following:

28 (a) Title VI of the civil rights act, prohibiting discrimination
29 based on race, color, or national origin and requiring meaningful
30 access for people with limited English proficiency, and disability;

31 (b) Executive Order 05-03, requiring plain talk when
32 communicating with the public; and

33 (c) Guidance related to Executive Order 13166, requiring
34 meaningful access to port district programs and services for people
35 with limited English proficiency.

36 (3) In developing and updating its plan, a qualifying port
37 district must consider any guidance developed by the environmental
38 justice council pursuant to RCW 70A.02.110.

39 (4) A qualifying port district may coordinate with the office of
40 equity to identify policy and system barriers to meaningful

1 engagement with communities as conducted by the office under RCW
2 43.06D.040(1)(b).

3 NEW SECTION. **Sec. 4.** (1) When considering a significant port
4 action initiated after January 1, 2026, a qualifying port district
5 must comply with the requirements of this section prior to approving
6 the action.

7 (2) To comply with this section, a qualifying port district must:

8 (a) Obtain an assessment from the University of Washington's
9 department of environmental and occupational health sciences, in
10 collaboration with the county department of health for the county in
11 which a qualifying port district is located on the likely adverse
12 cumulative impacts of the proposed action on overburdened communities
13 and vulnerable populations that will be affected by the action,
14 together with recommendations on ways to mitigate or minimize the
15 likely cumulative impacts of the proposed action. This assessment
16 must incorporate existing published research, data, and reports from
17 the University of Washington's department of environmental and
18 occupational health sciences and the Washington state department of
19 health, ensuring alignment with established methodologies for
20 evaluating cumulative environmental health impacts;

21 (b) Develop and publicly share an action plan that implements
22 recommendations to mitigate or minimize the likely adverse impacts
23 or, if the port district determines it does not have the ability or
24 authority to avoid or reduce any likely adverse impacts, including
25 public health impacts, of the action on overburdened communities and
26 vulnerable populations, the action plan must include a clear and
27 detailed explanation of these constraints, along with proposed
28 alternative measures or partnerships to address the impacts to the
29 greatest extent possible; and

30 (c) Consult with overburdened communities and vulnerable
31 populations about the proposed action, ensuring that their
32 perspectives and priorities are reflected in the assessment and
33 mitigation strategies. The county department of health shall lead
34 this consultation process, including by publicly providing the
35 results of the assessment, conducting outreach within the communities
36 or populations to raise awareness of the proposed action, and holding
37 at least one public meeting at a location easily accessible to the
38 communities and populations.

1 (3) Based on the assessment, a qualifying port district must
2 seek, to the extent legal and feasible, to reduce or eliminate the
3 environmental harms and maximize the environmental benefits created
4 by the significant port action on overburdened communities and
5 vulnerable populations. Consistent with the qualifying port
6 district's mission and statutory responsibilities, the port district
7 must consider each of the following methods for reducing
8 environmental harms or equitably distributing environmental benefits:

9 (a) Eliminating the disparate impact of environmental harms on
10 overburdened communities and vulnerable populations;

11 (b) Reducing cumulative environmental health impacts on
12 overburdened communities or vulnerable populations;

13 (c) Preventing the action from adding to the cumulative
14 environmental health impacts on overburdened communities or
15 vulnerable populations;

16 (d) Providing equitable participation and meaningful engagement
17 of vulnerable populations and overburdened communities in the
18 development of the significant port action;

19 (e) Prioritizing equitable distribution of resources and benefits
20 to overburdened communities;

21 (f) Promoting positive workforce and job outcomes for
22 overburdened communities;

23 (g) Meeting community needs identified by the affected
24 overburdened community;

25 (h) Modifying substantive regulatory or policy requirements; and

26 (i) Any other mitigation techniques, including those suggested by
27 the environmental justice council, the office of equity, or
28 representatives of overburdened communities and vulnerable
29 populations.

30 (4) The University of Washington's department of environmental
31 and occupational health sciences shall periodically review and
32 evaluate the effectiveness of mitigation strategies and provide
33 transparent public reports detailing the outcomes, costs, and
34 benefits of the actions implemented.

35 (5) Nothing in this section creates a right of action against a
36 qualifying port district or a right of review of an action taken by a
37 qualifying port district.

38 NEW SECTION. **Sec. 5.** (1) A qualifying port district, acting
39 through its commission, has power to expend moneys in the district or

1 general area to mitigate environmental impacts and cumulative
2 environmental health impacts that arise from a port district's
3 exercise of its granted powers. A qualifying port district may expend
4 funds for remediation and mitigation, and may participate in and
5 expend funds for programs to identify, study, and make
6 recommendations for remediation and mitigation of environmental
7 impacts and cumulative environmental health impacts that result or
8 are expected to result from the port district's use of the authority
9 granted herein. In addition, a qualifying port district may contract
10 with nonprofit corporations and private and public entities that
11 provide expertise in relation to these purposes.

12 (2) A qualifying port district may expend funds, including from
13 the fund authorized in RCW 53.54.040, to mitigate environmental harm
14 and to remedy the effects of current and past disparate treatment of
15 overburdened communities and vulnerable populations.

16 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act
17 constitute a new chapter in Title 53 RCW.

--- END ---