
SUBSTITUTE HOUSE BILL 1847

State of Washington

66th Legislature

2019 Regular Session

By House Local Government (originally sponsored by Representatives Pellicciotti, Orwall, Gregerson, Reeves, and Santos)

1 AN ACT Relating to aircraft noise abatement; and amending RCW
2 53.54.010, 53.54.020, and 53.54.030.

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

4 **Sec. 1.** RCW 53.54.010 and 1974 ex.s. c 121 s 1 are each amended
5 to read as follows:

6 A port district operating an airport serving more than (~~twenty~~)
7 nine hundred scheduled jet aircraft flights per day may undertake any
8 of the programs or combinations of such programs, as authorized by
9 this chapter, for the purpose of alleviating and abating the impact
10 of jet aircraft noise on areas surrounding such airport.

11 **Sec. 2.** RCW 53.54.020 and 1984 c 193 s 1 are each amended to
12 read as follows:

13 (1) Prior to initiating programs as authorized in this chapter,
14 the port commission shall undertake the investigation and monitoring
15 of aircraft noise impact to determine the nature and extent of the
16 impact. The port commission shall adopt a program of noise impact
17 abatement based upon the investigations and as amended periodically
18 to conform to needs demonstrated by the monitoring programs(~~+~~
19 PROVIDED, That)). In no case may the port district undertake any of

1 the programs ~~((of))~~ prescribed in this chapter in an area ~~((which))~~
2 that is:
3 (a) More than ~~((six))~~ ten miles beyond the paved north end of any
4 runway;
5 (b) More than thirteen miles beyond the paved south end of any
6 runway; or
7 (c) More than ~~((one))~~ two miles from the centerline of any runway
8 ~~((or from an imaginary runway centerline extending six))~~ ten miles
9 north and thirteen miles south from the paved end of such runway.
10 (2) Such areas as determined ~~((above))~~ in this section, shall be
11 known as "impacted areas."

12 **Sec. 3.** RCW 53.54.030 and 1993 c 150 s 1 are each amended to
13 read as follows:

14 (1) For the purposes of this chapter, in developing a remedial
15 program, the port commission may ~~((utilize))~~ take steps as
16 appropriate including, but not limited to, one or more of the
17 following programs:

18 ~~((+1))~~ (a) Acquisition of property or property rights within the
19 impacted area, which shall be deemed necessary to accomplish a port
20 purpose. The port district may purchase such property or property
21 rights by time payment notwithstanding the time limitations provided
22 for in RCW 53.08.010. The port district may mortgage or otherwise
23 pledge any such properties acquired to secure such transactions. The
24 port district may assume any outstanding mortgages.

25 ~~((+2))~~ (b) Transaction assistance programs, including assistance
26 with real estate fees and mortgage assistance, and other neighborhood
27 remedial programs as compensation for impacts due to aircraft noise
28 and noise associated conditions. Any such programs shall be in
29 connection with properties located within an impacted area and shall
30 be provided upon terms and conditions as the port district shall
31 determine appropriate.

32 ~~((+3))~~ (c) Programs of soundproofing structures located within
33 an impacted area. Such programs may be executed without regard to the
34 ownership, provided the owner waives damages and conveys an easement
35 for the operation of aircraft, and for noise and noise associated
36 conditions therewith, to the port district.

37 ~~((+4))~~ (d) Mortgage insurance of private owners of lands or
38 improvements within such noise impacted area where such private
39 owners are unable to obtain mortgage insurance solely because of

1 noise impact. In this regard, the port district may establish
2 reasonable regulations and may impose reasonable conditions and
3 charges upon the granting of such mortgage insurance(~~(: PROVIDED,~~
4 ~~That)~~). Such mortgage insurance fees and charges shall at no time
5 exceed fees established for federal mortgage insurance programs for
6 like service.

7 ~~((5) An individual property may be provided benefits by the port~~
8 ~~district under each of the programs described in subsections (1)~~
9 ~~through (4) of this section. However, an individual property may not~~
10 ~~be provided benefits under any one of these programs more than once,~~
11 ~~unless the property is subjected to increased aircraft noise or~~
12 ~~differing aircraft noise impacts that would have afforded different~~
13 ~~levels of mitigation, even if the property owner had waived all~~
14 ~~damages and conveyed a full and unrestricted easement.~~

15 ~~(6))~~ (e) Management of all lands, easements, or development
16 rights acquired, including but not limited to the following:

17 ~~((a))~~ (i) Rental of any or all lands or structures acquired;

18 ~~((b))~~ (ii) Redevelopment of any such lands for any economic use
19 consistent with airport operations, local zoning and the state
20 environmental policy;

21 ~~((c))~~ (iii) Sale of such properties for cash or for time
22 payment and subjection of such property to mortgage or other security
23 transaction: PROVIDED, That any such sale shall reserve to the port
24 district by covenant an unconditional right of easement for the
25 operation of all aircraft and for all noise or noise conditions
26 associated therewith.

27 ~~((7))~~ (2) An individual property may be provided benefits by
28 the port district under each of the programs described in subsection
29 (1) of this section. However, an individual property may not be
30 provided benefits under any one of these programs more than once,
31 unless the property is subjected to increased aircraft noise or
32 differing aircraft noise impacts that would have afforded different
33 levels of mitigation, even if the property owner had waived all
34 damages and conveyed a full and unrestricted easement.

35 (3) A property shall be considered within the impacted area if
36 any part thereof is within the impacted area.

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