

HOUSE BILL REPORT

HB 2621

As Reported By House Committee On:
Transportation

Title: An act relating to air transportation planning.

Brief Description: Improving air transportation planning.

Sponsors: Representatives R. Fisher, Brough, Eide, G. Fisher, Patterson, J. Kohl, Cothorn, Dorn, Leonard, Veloria, Schoesler, Quall, L. Johnson, Shin, H. Myers, Karahalios, Brown, Finkbeiner, Valle, Heavey, Lemmon, Johanson, Ogden and Van Luven.

Brief History:

Reported by House Committee on:
Transportation, February 2, 1994, DP.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 15 members: Representatives R. Fisher, Chair; Brown, Vice Chair; Jones, Vice Chair; Backlund; Brough; Eide; Finkbeiner; Heavey; Johanson; R. Meyers; Orr; Patterson; Romero; Sheldon and Zellinsky.

Minority Report: Do not pass. Signed by 11 members: Representatives Schmidt, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Brumsickle; Cothorn; Forner; Hansen; Horn; J. Kohl; Quall; Shin and Wood.

Staff: Brian McMorrow (786-7304).

Background: The bill has three organizational sources, each of which has had an impact on the draft of the bill. The following identifies the major differences between them, shows how they are expressed in the draft language of the bill, and poses the issues and choices involved in each of the bill's sections.

The Air Transportation Commission (AIRTRAC) final report accepts the present autonomy of locally-owned and operated airports in the state and makes recommendations for (a) greater protection for airports and their needs in the growth management planning of local jurisdictions, and (b) expansion of the role of the Washington State Department of Transportation (WSDOT) in serving the state interest in

airport protection, expansion, siting and, as a last resort, acquisition. The bill implements all of these recommendations, without exception.

The AIRTRAC minority report endorses all the findings and recommendations of the final report above, but goes on to call for a WSDOT capability for seeing and acting on the air transportation system of the state as a whole in order to promote efficiency, flexibility and cost-effective cooperation (including assigning functions and perhaps channeling funds) between airports of the state and nearby states and provinces. The bill also includes this perspective and its major specifics.

The Transportation Commission resolution of December 16, 1993, endorses the findings and recommendations of the final report and some of the spirit of the minority report, but stops short of the specifics of the larger state role recommended in the latter. Instead, it makes several provisions for a possible new global hub airport in the future, which would be covered by general powers proposed in the bill.

All sources agree that there is a significant but unserved state interest in air transportation; how this state interest is to be identified and served is the essence of their disagreement. The AIRTRAC final report relies upon autonomous local initiative supplemented by the state. The minority report calls for greater initiative by the state to be implemented in cooperation with airports and their local owners.

Summary of Bill: An efficient and integrated air transportation system is crucial to the state's economy and the well-being of its citizens. This can only be achieved by greater state leadership.

Airports of state-wide significance must plan for future air capacity needs and prepare mitigation plans to ensure that negative environmental impacts are adequately addressed. These airports must also participate in the regional transportation process and in the development of guidelines for land-use compatibility and environmental mitigation concurrency. Airports of state-wide significance must assist in the development of a functional classification system for airports.

Local jurisdictions must prepare a sub-element to the transportation element in their local comprehensive plans that prevents future incompatible land uses around airports. The sub-element must be based upon guidelines developed by WSDOT. Local jurisdictions must coordinate with relevant

regional transportation planning organizations when planning for land use around airports.

The secretary of transportation must certify local jurisdictions' land-use sub-elements before they may adopt their comprehensive plans. The secretary must base his or her evaluation on the state's interest as defined in the state airport system plan. If a local jurisdiction does not implement the WSDOT suggestions, the WSDOT may require it to incorporate the department's suggestions.

The Office of Financial Management must include on its list of essential public facilities new or expanded airports of state-wide significance as defined by the WSDOT.

The secretary of WSDOT must plan and implement cooperatively with regional and local units an integrated air transportation system that makes flexible use of facilities, responds efficiently to various demands, and assigns functions and roles to airports to maximize their contributions to the system. This new authority includes the power to transfer funds within the system and manage federal grants.

The secretary must establish and consult regularly with an advisory body made up of airport operators, airlines, local governments, private business east and west, and impacted citizens.

Airport operators, in cooperation with WSDOT and local jurisdictions, must define their air transportation needs in their regional transportation plans to ensure capacity needs. Also, air transportation must be integrated with surface modes of travel.

The State Building Code Council must adopt rules to ensure that new construction occurring within noise-impacted areas has sufficient noise insulation or other methods of mitigating noise. The term "noise-impacted area" means an area with a Level day night (Ldn) noise contour of 65. This recommendation is supported by all three sources.

No public school facilities may be built, purchased, rented or leased after the effective date of this bill in severely noise-impacted areas.

Noise mitigation must be incorporated into projects located close to airports.

Realtors and sellers of real estate within a noise contour of 55 Ldn must communicate to potential buyers that the

property is in a severely noise-impacted area. This must be communicated before closing on the sale of a property.

Fiscal Note: Requested January 19, 1994.

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

Testimony For: The state needs to assert its leadership in creating an effective and efficient air transportation system, rather than continuing to rely on an outdated model of autonomous local control of facilities of state-wide importance. The air transportation problems of the state are only going to get worse unless a bill like this is passed.

Testimony Against: The bill misses a basic point about air transportation--market forces determine when and where commercial air service is provided. By placing the state in the lead of the air transportation system, the Legislature would only be creating another layer of inefficient bureaucracy and providing opponents of SeaTac's third runway with another opportunity to foil the port of Seattle's attempt to expand its airport.

Witnesses: Robert Leventhal, AIRTRAC (pro); John Magnano, AIRTRAC (pro); Win Granlund, AIRTRAC (pro); Ken Reid, AIRTRAC (pro); Bob Davis, Airport Communities Coalition (pro); Bob Olander, Airport Communities Coalition (pro); Harry Lehr, Alaska Airlines (con); Joe Mahoney, AIRTRAC (con); Pat Jones, Washington Public Ports Association (con); David Bailey, Washington Airport Managers Association (con); Marie Lindsay, Seattle Tacoma International Airport (con); Stuart Creighton, Regional Commission on Airport Affairs (pro); John Fluke, Air Washington (con); Jules Bresnick, Washington Pilots Association (con); Charlie Howard, Department of Transportation (con); Willy O'Neil, State Building Code Council (pro); Vivian Matthews, Burien City Council (pro); and Jeanne Moeller, Citizens Alternative to SeaTac Expansion (pro).