

HOUSE BILL REPORT

SSB 5370

As Reported by House Committee On: Transportation

Title: An act relating to creating a state commercial aviation coordinating commission.

Brief Description: Creating a state commercial aviation coordinating commission.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Keiser, Warnick, Saldaña, Hasegawa, Wilson, C. and Honeyford).

Brief History:

Committee Activity:

Transportation: 4/1/19, 4/8/19 [DPA].

Brief Summary of Substitute Bill (As Amended by Committee)

- Creates the Commercial Aviation Coordinating Commission to determine Washington's long-range commercial aviation facility needs and the site of a new commercial aviation facility.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended. Signed by 31 members: Representatives Fey, Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Wylie, 1st Vice Chair; Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Young, Assistant Ranking Minority Member; Boehnke, Chambers, Chapman, Dent, Doglio, Dufault, Entenman, Eslick, Goehner, Gregerson, Irwin, Kloba, Lovick, McCaslin, Mead, Orcutt, Ortiz-Self, Paul, Pellicciotti, Ramos, Riccelli, Shea, Shewmake and Van Werven.

Staff: Patricia Hasan (786-7292).

Background:

Past Studies.

The 1990 Supplemental Transportation Budget (Senate Bill 6408) created the Air Transportation Commission (AIRTRAC) with a broad mandate to study the state's air

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.

transportation needs. The AIRTRAC concluded the addition of a third runway at Seattle-Tacoma International Airport (SeaTac) was the only viable solution to meeting regional air service needs. In 1994 the Legislature dissolved AIRTRAC and a moratorium on Puget Sound airport expansion correspondingly expired.

The 2017-19 Biennial Transportation Budget (Engrossed Senate Bill 5096) directed the Joint Transportation Committee (JTC) to conduct a study on air cargo movement at airports in Washington. The study, completed in December 2018, concluded that while airside capacity is adequate, landside capacity—such as cargo buildings—is inadequate to meet the cargo needs of the main air cargo airports in the state, particularly at SeaTac. The landside capacity deficit could be worsened by the rapid growth of passenger demand at SeaTac. The JTC study further concluded that access is restricted to SeaTac and to King County International Airport (Boeing Field) because Interstate 5 is rapidly becoming congested, which increases costs to shippers and trucking companies. The study recommended a number of strategies to address air cargo congestion in Washington, including developing non-hub airports into regional logistics centers, establishing an air cargo development program, and marketing Washington air cargo.

Current Studies.

SeaTac is the ninth busiest airport in the nation when measured by passenger boardings, which were 22.6 million in 2017, and nineteenth in air cargo volume in North America, which was 425,000 metric tons in 2017. The airport offers daily, non-stop service to 90 domestic and 25 international destinations. Both passenger and cargo traffic are forecast to continue to grow. SeaTac is currently in the environmental review phase of a master plan to address growth at the airport.

In 2018 the Federal Aviation Administration (FAA) funded the Puget Sound Regional Council (PSRC) to complete a regional aviation baseline study. The study will build on individual airport master plans and set a regional stage for future aviation planning. The PSRC study is not a siting study, and its goal is to provide a comprehensive view of the regional aviation system.

Summary of Amended Bill:

The state Commercial Aviation Coordinating Commission (Commission) is created.

Commission's Role.

The Commission must initiate a broad review of potential aviation facility sites, review existing data, and conduct research to determine Washington's long-range commercial aviation facilities needs and the site of a new primary commercial aviation facility. For each location under consideration for a new commercial aviation facility, the Commission's research must include the feasibility of constructing a commercial aviation facility in that location and its potential environmental, community, and economic impacts. The Commission shall select the single preferred location by a 60 percent majority vote using the following process: a shortlist of six sites must be recommended by January 1, 2022; narrowed to two sites by September 1, 2022; and a single preferred location must be

identified by January 1, 2023. Options for a new primary commercial aviation facility in Washington may include expansion of an existing airport facility. The Commission must project a timeline for developing an additional commercial aviation facility that is completed and functional by 2040. The Commission must also make recommendations on future Washington long-range commercial facility needs including possible additional aviation facilities or expansion of current aviation facilities, excluding those located in a county with a population of 2 million or more, to meet anticipated commercial aviation, general aviation, and air cargo demands.

The Commission must submit a report of its findings and recommendations to the transportation committees of the Legislature by January 1, 2023, and must allow a minority report to be included if requested by a voting member of the Commission.

Commission's Membership.

The Commission is made up of 16 voting and 12 nonvoting members. The Governor may appoint additional nonvoting members as deemed appropriate.

The voting membership includes the following 11 members appointed by the Governor:

- one representative of a port located in a county with a population of 2 million or more;
- one representative of a port in Eastern Washington with an airport runway of at least 13,500 feet;
- one representative of a commercial service airport in Eastern Washington located in a county with a population of 400,000 or more;
- one representative of an association of ports;
- three representatives of the airline industry and the private sector;
- one representative from an Eastern Washington metropolitan planning organization;
- one representative from a Western Washington metropolitan planning organization; and
- two citizen representatives with one appointed from Eastern Washington and one appointed from Western Washington who represent the public interests in the communities that are included in the Commission's site research and understand the impacts of a large commercial aviation facility on a community.

The remaining five voting members are:

- one representative from the Department of Commerce;
- one representative from the Washington State Department of Transportation (WSDOT) Aeronautics Division;
- one representative from the freight forwarding industry;
- one representative from the trucking industry; and
- one representative from the FAA's Flight Standards District Office in Washington.

The Commission shall invite the following 12 nonvoting members:

- one representative from the FAA;
- one representative from the Washington State Aviation Alliance;
- one representative from the United States (U.S.) Department of Defense (DOD);
- two members from the Senate, with one member from each of the two largest caucuses in the Senate, appointed by the President of the Senate;

- two members from the House of Representatives, with one member from each of the two largest caucuses in the House of Representatives, appointed by the Speaker of the House of Representatives;
- one representative from a statewide environmental organization;
- one representative from an organization concerned with land and/or water use in the state;
- two congressional staff members with expertise in aviation, with one staff member each from the fourth and ninth congressional districts; and
- one representative from the WSDOT Aeronautics Division.

Commission Administration.

The WSDOT must provide staff support as necessary. The WSDOT, at the direction of the Commission, may hire a consultant to assist the Commission. The Governor, or designee, must convene the initial meeting as soon as practicable. Legislative members of the Commission are reimbursed for travel expenses, and nonlegislative Commission members are not entitled to reimbursement for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. The Commission must select a chair from among its membership. The Commission ends July 1, 2023.

Amended Bill Compared to Substitute Bill:

The amended bill makes the following changes:

- increases the Commission membership from 13 voting members and two nonvoting members to 16 voting members and 12 nonvoting members;
- makes changes to the Commission's voting members by:
 - including representation from: (1) a commercial service airport in Eastern Washington located in a county with a population of 400,000 or more; (2) citizens at large; (3) the freight forwarding industry; (4) the trucking industry; and (5) the FAA's Flight Standards District Office in Washington; and
 - removing the Governor or the Governor's designee and representation from the Freight Mobility Strategic Investment Board;
- makes changes to the Commission's nonvoting membership by including representation from: (1) the DOD; (2) each of the two largest caucuses in the Senate; (3) each of the two largest caucuses in the House of Representatives; (4) a statewide environmental organization; (5) an organization concerned with land and/or water use; (6) congressional staff members from the fourth and ninth congressional districts with expertise in aviation; and (7) an additional representative from the WSDOT Aeronautics Division;
- allows the WSDOT, at the direction of the Commission, to hire a consultant to assist with the Commission's work;
- specifies that for each location under consideration for a new commercial aviation facility, the Commission's research must include the feasibility of constructing a commercial aviation facility in that location and its potential environmental, community, and economic impacts;
- requires the Commission's recommendations to the Legislature to include possible additional facilities or expansion of current facilities, excluding those located in a

- county with a population of 2 million or more, to meet anticipated commercial aviation, general aviation, and air cargo demands;
- requires that the identification of a preferred location for a new primary commercial aviation facility is to be determined by a 60 percent majority vote rather than a simple majority;
 - requires the Commission to allow a minority report to be included with the Commission's report to the Legislature if requested by a voting member of the Commission;
 - removes the requirement that the Commission's recommendations must be consistent with the WSDOT's Long-Term Air Transportation Study;
 - allows legislative members of the Commission to be reimbursed for travel expenses as allowed in current law; and
 - moves all date-specific deadlines back by two years, so that the Commission's report is due to the Legislature on January 1, 2023, rather than January 1, 2021.
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Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) SeaTac is a crowded airport; it is the fastest growing airport in the U.S. and has the smallest amount of acreage of any international airport in the U.S serving a major metropolitan area. It is less than 10 percent the size of Denver International Airport and half the size of Spokane International Airport. There is no room to grow, which will become a critical issue for air travel in the coming years. Not only is capacity expansion limited, but thousands of people live in very close proximity to aviation operations, which impacts the quality of life with noise pollution and traffic. Aviation operations at SeaTac have grown by 45 percent in the last six years. The Port of Seattle is proposing to invest \$10 billion in development during the next 10 years, but the added capacity will still not be enough to address congestion at and around the airport.

Any future development at SeaTac does not address the impacts to the surrounding communities. There is an overload of noise and pollution surrounding SeaTac, meaning a new airport is a necessity to the area. The communities surrounding SeaTac can share the economic wealth of having an airport nearby and also share the burden that airports bring to communities. With proper management, regulation, mitigation, technological advancements, and the dispersion of pollution, the aviation industry can be humane and environmentally friendly.

Washington's economy depends on the state's ability to connect with the rest of the world. The Puget Sound hosts the fourth largest gateway in North America. It is responsible for 48,000 jobs and more than \$4 billion in economic activity. The south sound communities are

home to the second largest distribution complexes on the west coast and fourth largest in the U.S. Developing another airport will keep Washington at the forefront of transportation and logistics and will allow Washington to remain competitive in an ever-growing and changing economy.

This topic has been studied many times over many years, and the last study, the WSDOT's Long-Term Air Transportation Study, from 2008 concluded that SeaTac would likely reach capacity in 2030. However, the airport is already at capacity and will likely be over capacity by 2020. It takes between 15 and 20 years to fully develop out aviation facilities, so the state needs to begin planning as soon as it can. The last time the state studied airport capacity needs statewide was in 1990, and the region has grown exponentially in the last 29 years. In 2018 almost 50 million people travelled through SeaTac, which is a 6.2 percent increase over 2017 traffic. By 2034 the airport is expected to see 66 million travelers. Therefore, it is imperative to have another major airport in the state.

This bill would begin the process by determining the site of a new or expanded aviation facility. The issue of governance is not addressed in the bill because it is difficult to know who will be the governing body over an unknown site. The new site will not only serve the economic needs of the state, but will also address and mitigate impacts on health and the environment of surrounding communities.

There is concern that the Commission would not have representation from enough stakeholders, such as the medical community and human services. Without community involvement, it appears the Commission does not care about community health and wellness.

A second airport needs to be and should be a strong competitor to SeaTac. The Port of Seattle has a Century Agenda, which is their marketing program provided to airlines showing the next 25 years of planned growth. If the second airport is not a strong competitor that has the capabilities to provide strong cargo services and commercial aviation services, SeaTac will fill in those gaps using any technological advancements available. Even though the Port of Seattle is saying the airport is at capacity and can no longer expand, they will expand as needed to fill any gaps presented; they have before, and they will again.

(Opposed) None.

(Other) Spokane International Airport is unique in that it is a municipal airport and not operated by a port district. The Spokane Airport is structured differently than others in that the governing body does not have specific taxing authority. It is appropriate that a representative of municipal airports also serve on the Commission.

The WSDOT is ready and willing to participate in the Commission as established in the bill, with one recommendation. The timeline in the bill could benefit from a modest extension to June 2021 in order to take advantage of the information that will be acquired in the Puget Sound Regional Council's Regional Aviation Baseline Study. Additionally, the FAA will have a vital role in the siting and construction of a new airport, so it is recommended that the FAA participation on the Commission be increased.

Persons Testifying: (In support) Senator Keiser, prime sponsor; Nancy Tosta, City of Burien; Eric Johnson, Washington Public Ports Association; Kent Palosaari, Flight Pattern Kids; Elarrio Guajardo, Mira's Garden; Peter Kwon, City of SeaTac; Eric ffitich, Port of Seattle; Traci Buxton, City of Des Moines; J.C. Harris, SeaTacNoise.Info; and Anne Kroeker, Quiet Skies Puget Sound.

(Other) Cliff Webster, Spokane International Airport; and Robert Hodgman, Washington State Department of Transportation.

Persons Signed In To Testify But Not Testifying: None.