

SENATE BILL REPORT

HB 2315

As Passed Senate - Amended, March 4, 2020

Title: An act relating to repairing and replacing mitigation equipment installed as part of a remedial program within an impacted area.

Brief Description: Installing, repairing, replacing, and updating mitigation equipment installed within an impacted area.

Sponsors: Representatives Orwall, Fitzgibbon and Pellicciotti.

Brief History: Passed House: 2/12/20, 97-0.

Committee Activity: Local Government: 2/20/20 [DPA].

Floor Activity:

Passed Senate - Amended: 3/04/20, 47-0.

Brief Summary of Amended Bill

- Allows a property to receive benefits more than once under a noise abatement program, if the property contains a soundproofing installation, structure, or other type of mitigation impact equipment in need of repair or replacement.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass as amended.

Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Staff: Greg Vogel (786-7413)

Background: Noise abatement programs generally focus on reducing the noise produced by aircraft while on the ground, during takeoffs and landings, and during flights over populated areas.

A port district that operates an airport serving more than 20 scheduled jet aircraft flights per day may undertake a program of aircraft noise abatement.

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.

Prior to initiating any noise abatement activities, the port commission must determine the nature and extent of the impact of aircraft noise on surrounding areas. No noise abatement activities may be conducted outside an impacted area. An impacted area is limited to no more than 6 miles beyond the paved end of any runway, or more than 1 mile from the centerline of any runway, or from any imaginary runway centerline extending 6 miles from the paved end of such runway.

The port commission may employ a number of remedial programs for noise abatement. Among other items, the aircraft noise abatement program may include the purchase of property, transaction assistance—assistance for selling a home, and mortgage insurance for private land owners who are unable to obtain mortgage insurance due to the noise impact, and soundproofing structures. A property owner may receive benefits more than once under each separate noise abatement program, if the property is subjected to increased aircraft noise or differing aircraft noise impacts that would have afforded different levels of mitigation, even if the property owner had waived all damages and conveyed a full and unrestricted easement.

Summary of Amended Bill: A property may receive benefits more than once under any one of the noise abatement programs, if the property contains a soundproofing installation, structure, or other type of mitigation impact equipment or benefit previously installed pursuant to a remedial program provided by the port district, that is determined through inspection to be in need of repair or replacement.

Port districts choosing to exercise this mitigation authority are required to conduct inspections of homes where mitigation improvements are no longer working as intended. In those properties, port districts must work with a state certified building inspector to determine whether package failure resulted in additional hazards or structural damage to the property.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Bill as Amended by Committee: PRO: One of the issues coming up is homes have experienced mold and some of the packages have not been installed correctly, so we wanted to add an inspection requirement. We are anticipating that we need federal dollars, so we are working with congressional staff as well.

Many of the homes sound-insulated by the port in the early 1990s have many flaws with the construction done. It was done unevenly and constructed with poor quality. Today we are seeing failed equipment which is no longer keeping pace with the tremendous growth of the port. There are broken seals and mold in homes. There was no ventilation installed in the early years of the program.

This is a remedy for home owners suffering from the lack of sound insulation in the home. Over time, we have learned what was initially described as a nuisance is now considered a health hazard. The bill is important to residents of SeaTac, and we are thankful for the hard work on this bill. The port understands that some of the packages do not function as intended and are looking to work with homeowners to correct these issues.

Persons Testifying: PRO: Representative Tina Orwall, Prime Sponsor; Sharyn Parker, citizen; Debi Wagner, citizen; Kyle Moore, City of SeaTac; Eric Ffitch, Port of Seattle; JC Harris, City of Des Moines, City Council Member; Anthony Hemstad, City of Des Moines, Legislative Advocate.

Persons Signed In To Testify But Not Testifying: No one.