

SENATE BILL REPORT

SB 5652

As of January 19, 2026

Title: An act relating to reducing environmental and health disparities and improving the health of Washington state residents in large port districts.

Brief Description: Reducing environmental and health disparities and improving the health of Washington state residents in large port districts.

Sponsors: Senators Orwall, Hasegawa, Nobles and Valdez.

Brief History:

Committee Activity: Environment, Energy & Technology: 2/18/25; 1/21/26.

Brief Summary of Bill

- Establishes a recurring process by which strategies to mitigate aviation-related air quality and noise impacts are developed, reviewed, piloted, and broadly implemented.
- Creates a work group to develop and regularly update a mitigation plan, and creating a grant program.
- Directs the state auditor to conduct a performance audit of noise mitigation retrofits that were installed in communities near the Seattle-Tacoma International Airport.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

Staff: Matt Shepard-Koningsor (786-7627)

Background: Port Districts. Port districts are special purpose districts empowered to acquire, construct, maintain, operate, develop, and regulate harbor improvements; rail or motor transfer and terminal facilities; water transfer and terminal facilities; air transfer or terminal facilities; other commercial transportation, transfer, handling, storage, and terminal

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facilities; and industrial improvements.

Noise Abatement Programs. Airports can generate a significant amount of noise for those who live near the airport. The Federal Aviation Administration (FAA) currently uses a threshold of a Day-Night Average Sound Level of 65 decibels to determine significant noise impacts. A Day-Night Average Sound Level is a measure of the average decibel level of noise a person experiences over a 24-hour period due to aircraft operations. In determining this level, any aircraft noise at night is increased by ten decibels.

Port districts in Washington that operate an airport serving more than 900 scheduled jet flights per day are authorized to undertake Aircraft Noise Abatement Programs to alleviate the impact of jet noise on the surrounding area. In 2024, only Seattle-Tacoma International Airport (SeaTac Airport), operated by the Port of Seattle, served this many jet flights, averaging more than 1000 jet flights per day. Spokane International Airport, by contrast, averages fewer than 250 jet flights per day.

An aircraft noise abatement program can only be undertaken within an impacted area. This area extends two miles from the centerline of any runway to a point ten miles north of the paved north end of any runway, and to a point 13 miles south of the paved south end of any runway. If any portion of a property is within the impacted area, then the entire property is considered within the area. Since the 1980s, the Port of Seattle and the FAA have contracted to install noise mitigation retrofits, often referred to as port packages, at qualifying properties to address significant noise from airport operations. These port packages included the installation of double- or triple-paned windows and other upgrades, however, it is reported that many of the projects were installed incorrectly, have failed to operate effectively, or produced other negative effects.

Port District Equity Fund. In 2024, the Legislature established the Port District Equity Fund, which is administered by the Department of Commerce (Commerce). The Port District Equity Fund was created to provide grants to port districts to supplement noise mitigation programming. Moneys to the account may consist of appropriations by the Legislature, contributions from county and local governments and port districts, and private contributions. A port district authorized to undertake Aircraft Noise Abatement Programs may apply for money from the fund to facilitate the assessment and inspection of sound mitigation equipment that is no longer working or is reported to have caused additional hazards or structural property damage.

Air Quality and Health Impacts from Airport Operations. In 2019 researchers at the University of Washington's Department of Environmental and Occupational Health Sciences (UW) completed a two-year study regarding air quality near the SeaTac Airport. The study identified a distinct type of ultrafine particle pollution associated with aircraft, which was found at elevated levels in surrounding neighborhoods and up to ten kilometers downwind of the airport. The study found that air pollution particles from aircraft are smaller than roadway particles, and that higher concentrations of these particles are located

under the landing paths, rather than take-off paths.

Following the UW research, the Seattle and King County Public Health Department released a study in 2020, investigating the health of individuals who live near the SeaTac Airport. The study found that these individuals have a lower life expectancy and increased risk of various health problems.

State Auditor. The state auditor is authorized to audit public accounts, investigate improper governmental activity, request prosecutions of wrongdoing, and report its findings. The state auditor may also conduct independent, comprehensive performance audits of public agencies.

Climate Commitment Act Accounts. The Climate Commitment Act has a total of seven accounts, each appropriated with different amounts of money and designated for different uses. One of these accounts is the Air Quality and Health Disparities Improvement Account (AQHDIA). AQHDIA funds may be used for projects that help identify and reduce criteria pollutants and health disparities in overburdened communities highly impacted by air pollution.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): University of Washington Research. By June 1, 2027, and then recurring every two years, UW must:

- develop and integrate exposure maps and community-level estimates of aviation-related air quality impacts and aviation-related noise impacts on aviation-impacted communities;
- assess indoor and outdoor air quality and noise for schools, childcare and community centers, and homes from aviation activity in aviation-impacted communities to understand real-world exposure during typical use cases; and
- create a clear, science-based method for evaluating the human and environmental health impacts of aviation activity on both indoor and outdoor air quality and noise;
 1. this method must include an assessment of relevant research, reports, and studies, and it is not limited to federally defined standards or guidelines.

UW must, as applicable, use a variety of research techniques, data collected from certain air pollutant monitoring stations, and community participation.

Aviation-related air quality impacts means emissions from aircraft activity and resulting community air pollution concentrations associated with the Port of Seattle's airport operations, including several listed examples. Aviation-related noise impacts means noise that communities experience from the Port of Seattle's airport operations, including several listed examples. Aviation-impacted communities means communities located in an area within which the Port of Seattle may undertake a noise abatement program.

Work Group. By January 1, 2027, Commerce must convene and facilitate a work group that meets quarterly for the first year and biannually in subsequent years to provide diverse expertise and perspectives to inform the development of mitigation strategies to address aviation-related air quality impacts and aviation-related noise impacts in aviation-impacted communities. The work group must include specified representatives from the Port of Seattle, UW, state and local agencies, municipalities near SeaTac Airport, and community members and organizations.

The work group must:

- review UW studies and research;
- identify a set of mitigation strategies reflecting work group priorities;
- review port packages to evaluate the extent to which they are deficient in addressing aviation-related noise impacts;
- develop an ongoing mitigation plan based on air pollution and noise burden, technical requirements, equity considerations, and other metrics;
 1. the first mitigation plan must be completed by October 1, 2027, be updated biennially, and include specified strategies to mitigate aviation-related air quality impacts and aviation-related noise impacts.
- develop a community engagement plan to provide ongoing education and outreach to aviation-impacted communities;
- explore long-term funding options to mitigate these impacts, including airport landing fees and funding from the Climate Commitment Act; and
- review the request for proposals document (RFP), as described below.

Commerce must post the mitigation plan, community engagement plan, and other relevant work group updates or work products on its website.

Mitigation Strategy Pilot Projects. By December 1, 2027, based on the mitigation plan and after consulting with the work group, the King County Department of Public Health, in partnership with UW, must:

- identify and implement priority one-year mitigation strategy pilot projects;
- conduct measurements of aviation-related air quality impacts and aviation-related noise impacts before and after project implementation;
- assess the potential health benefits from project implementation;
- evaluate the benefits, durability, and feasibility of each pilot project to determine which are most viable for broader use, target populations, and specific mitigation; and
- submit findings to the work group to determine which projects should be implemented broadly.

Grant Program. Commerce must administer a grant program to assist qualifying organizations with expenses related to the implementation of mitigation strategies identified in the mitigation plan (grant program). By December 1, 2028, Commerce, in consultation with the work group, must develop an initial RFP that solicits mitigation projects. The RFP must include, at a minimum, successful pilot projects applicable for broader

implementation, evaluation criteria, and reporting requirements for grant recipients. The work group must regularly review and update the RFP based on updates to the mitigation plan and information from projects awarded grants.

Qualifying organizations eligible for a grant include community organizations representing aviation-impacted communities, municipalities in which aviation-impacted communities are located, the Port of Seattle, and other organizations represented on the work group.

Port District Equity Fund. Funding from the Port District Equity Fund may be used for the grant program. The Port of Seattle, acting through its commission, is authorized to expend funds, including in the Port District Equity Fund, to mitigate aviation-related air quality impacts and aviation-related noise impacts, including to remedy deficient port packages in accordance with the mitigation plan and timeline developed by the work group. The Port of Seattle may participate in and expend funds for programs to identify, study, and make recommendations for remediation and mitigation. The Port of Seattle may contract with nonprofit corporations and private and public entities.

Performance Audit. By July 1, 2028, the state auditor must conduct a comprehensive evaluation of the Port of Seattle and FAA's port packages and deliver a report including, without limitation, a conclusion and recommendations on each of the following:

- the extent to which the Port of Seattle has evaluated whether the port packages installed were successful;
- the amount of funds directed to the Port of Seattle to install port packages and the amount of funds expended;
- a cost estimate for replacing or repairing failed port packages, and additional harm and structural damage caused by improperly installed or functionally faulty projects;
- additional steps the Port of Seattle, the Legislature, municipalities, and others can take to adequately address deficient port packages; and
- the extent to which homeowners are satisfied with projects installed in their homes.

If requested by the state auditor, the Port of Seattle must provide records necessary to complete the audit.

Other. Legislative intent and a state severability clause are included.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on January 19, 2026.

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

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