

1 AN ACT Relating to reducing environmental and health disparities  
2 associated with aviation activity; amending RCW 43.330.610 and  
3 53.20.090; adding a new section to chapter 43.09 RCW; creating a new  
4 chapter in Title 53 RCW; and creating new sections.

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

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8 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

9 (a) Communities located near airports are uniquely and  
10 disproportionately exposed to aviation-related air pollution such as  
11 ultrafine and ultra-ultrafine particulate matter, nitrogen dioxide,  
12 volatile organic compounds, black carbon, and other pollutants. Those  
13 pollutants have been linked to breast cancer, heart disease, prostate  
14 cancer, and a variety of lung conditions, including asthma. Communities  
15 near airports are also disproportionately exposed to noise from aviation  
16 activity, which has been linked to increased levels of stress, sleep  
17 disruption, hypertension, and heart disease; and

18 (b) Many building improvements, also known as "port packages," such  
19 as double and triple-paned windows, insulation, and HVAC systems

1 initially funded by the Federal Aviation Administration and the Port of  
2 Seattle designed to mitigate the noise impacts of the airport activity  
3 have failed, resulting in unhealthy living conditions due to poor  
4 ventilation, leaking windows, moisture damage, mold growth, and  
5 structural rot.

6 (c) A coordinated, evidence-based, and community-informed approach  
7 is needed to comprehensively address air and noise impacts from aviation  
8 activity on these disproportionately affected communities. Moreover,  
9 community participation is essential to identifying effective mitigation  
10 strategies and developing an implementation framework to remediate past,  
11 and mitigate current and future, air and noise pollution impacts on  
12 these communities.

13 (2) Therefore, the legislature intends to:

14 (a) Establish partnerships among local jurisdictions, state  
15 agencies, research institutions, and community members to develop  
16 scientifically-sound, locally-responsive strategies to mitigate the  
17 ongoing impacts of aviation activity; and

18 (b) Establish a grant program to:

19 (i) Support the ongoing implementation of identified mitigation  
20 strategies to address the cumulative impacts of aviation activity on  
21 human and environmental health; and

22 (ii) Address deficiencies in port packages funded by the Federal  
23 Aviation Administration and the Port of Seattle.

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25 NEW SECTION. **Sec. 2.** The definitions in this section apply  
26 throughout this chapter unless the context clearly requires otherwise.

27 (1) "Aviation-impacted communities" means communities located  
28 within 10 miles of an airport runway operated by a qualifying port  
29 district.

30 (2)(a) "Aviation-related air quality impacts" means air pollution  
31 or emissions from aircraft activity associated with a qualifying port  
32 district's airport operations.

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1 (b) "Aviation-related air quality impacts" include, without  
2 limitation, emissions or air pollutants from aircraft landing, takeoff,  
3 taxiing, ground support equipment, or auxiliary power units.

4 (3) (a) "Aviation-related noise impacts" means noise that communities  
5 experience from a qualifying port district's airport operations.

6 (b) "Aviation-related noise impacts" include, without limitation,  
7 noise from aircraft takeoff, landing, taxiing, ground support equipment,  
8 and auxiliary power units.

9 (4) (a) "Mitigation strategies" means actions designed to reduce  
10 community exposure to aviation-related air quality impacts, aviation-  
11 related noise impacts, or both.

12 (b) "Mitigation strategies" include, without limitation, reducing  
13 emissions; improving heating, ventilation, air conditioning, and  
14 filtration systems; strengthening building envelopes; installing air or  
15 noise barriers; adding vegetation; and using portable high efficiency  
16 particulate air filters.

17 (5) "Qualifying port district" means a port district authorized to  
18 undertake programs for the abatement of aircraft noise under RCW  
19 53.54.010.

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21 NEW SECTION. Sec. 3. (1) By January 1, 2027, the University of  
22 Washington's department of environmental and occupational health  
23 sciences must:

24 (a) Develop and integrate exposure maps and community-level  
25 estimates of aviation-related air quality impacts and aviation-related  
26 noise impacts on aviation-impacted communities;

27 (b) Assess indoor and outdoor air quality and noise for schools,  
28 childcare centers, community centers, and homes from aviation activity  
29 in aviation-impacted communities to understand real-world exposure  
30 during typical use cases; and

31 (c) Create a clear, science-based approach for evaluating how  
32 aviation affects both indoor and outdoor air quality in aviation-  
33 impacted communities.

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1 (2) When conducting the requirements in subsection (1) of this  
2 section, the University of Washington's department of environmental and  
3 occupational health sciences, as applicable, must use:

4 (a) A variety of techniques, such as mobile monitoring or community-  
5 based episodic sampling; and

6 (b) Data from the Puget Sound clean air agency's air pollutant  
7 monitoring stations located in the cities of Des Moines and SeaTac.

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9 NEW SECTION. Sec. 4. (1) By January 1, 2027, the department of  
10 commerce must convene a work group to provide diverse expertise and  
11 perspectives to inform the development of mitigation strategies to  
12 address aviation-related air quality impacts and aviation-related noise  
13 impacts on aviation-impacted communities. The work group must, at a  
14 minimum, include:

- 15 (i) One representative from the Port of Seattle;
  - 16 (ii) One representative from the University of Washington's  
17 department of environmental and occupational health sciences;
  - 18 (iii) One representative from the Washington State department of  
19 health;
  - 20 (iv) One representative from the department of ecology;
  - 21 (v) One representative from the Puget Sound clean air agency;
  - 22 (vi) One representative from the King County department of health;
  - 23 (vii) One representative from the City of Burien;
  - 24 (viii) One representative from the City of Des Moines;
  - 25 (ix) One representative from the City of Federal Way;
  - 26 (x) One representative from the City of Normandy Park;
  - 27 (xi) One representative from the City of SeaTac;
  - 28 (xii) One representative from the Beacon Hill neighborhood of the  
29 City of Seattle;
  - 30 (xiii) One representative from the City of Tukwila;
  - 31 (xiv) Seven representatives from aviation-impacted communities; and
  - 32 (xv) Six representatives from community advocacy organizations.
- 33 (2) The work group must:

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1 (a) Review relevant studies and research conducted by the University  
2 of Washington's department of environmental and occupational health  
3 sciences under section 3 of this act;

4 (b) Identify a set of mitigation strategies that reflect work group  
5 priorities, including strategies that have been proven effective, can  
6 be implemented within the affected communities, and reduce emissions or  
7 noise associated with airport operations;

8 (c) Review noise mitigation retrofits (also known as "port  
9 packages") that were installed in aviation-impacted communities to  
10 evaluate the extent to which the retrofits are deficient in addressing  
11 aviation-related noise impacts;

12 (d) (i) Develop a mitigation plan that includes priority mitigation  
13 strategies based on air pollution and noise burden, technical  
14 requirements, eligibility criteria, cost estimates, timelines, equity  
15 considerations, and potential evaluation methods and metrics;

16 (ii) The mitigation plan must include strategies to:

17 (A) Mitigate aviation-related noise impacts, including those that  
18 are below the federal threshold of 65 decibels DNL for significant  
19 noise; and

20 (B) Remedy deficient noise mitigation retrofits under (c) of this  
21 subsection (2) and develop a specific timeline to complete the work.

22 (e) Develop a community engagement plan to provide ongoing education  
23 and outreach to aviation-affected communities regarding mitigation  
24 strategies and resources; and

25 (f) Explore long-term funding options to mitigate aviation-related  
26 air quality impacts and aviation-related noise impacts on aviation-  
27 impacted communities including, without limitation, airport landing fees  
28 and funding from the accounts created in chapter 70A.65 RCW.

29 (3) The department of commerce must post the mitigation plan,  
30 community engagement plan, and any other relevant work group updates or  
31 work products on its website.

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33 NEW SECTION. Sec. 5. By July 1, 2027, based on the mitigation plan  
34 in section 4 of this act and after consulting with the work group

1 established in section 4 of this act, the King County department of  
2 health, in partnership with the Puget Sound clean air agency and the  
3 University of Washington department of environmental and occupational  
4 health sciences, must:

5 (1) Implement priority mitigation strategy pilot projects;

6 (2) Conduct measurements of aviation-related air quality impacts  
7 and aviation-related noise impacts before and after implementation of  
8 the priority mitigation strategy pilot projects;

9 (3) Assess the potential health benefits associated with the  
10 priority mitigation strategy pilot projects, including those related to  
11 resident perceptions, health care utilization, school absences, and  
12 other priorities identified by the work group established in section 4  
13 of this act;

14 (4) (a) Evaluate the benefits, durability, and feasibility of each  
15 priority mitigation strategy pilot project to determine which approaches  
16 are most viable for broader use, target populations, and specific  
17 mitigation;

18 (b) The evaluation must consider the feasibility of implementation,  
19 usability for building owners and users, resident perceptions, impacts  
20 to the community, and scalability; and

21 (5) Submit findings to the work group created in section 4 of this  
22 act.

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24 NEW SECTION. **Sec. 6.** By July 1, 2028, the King County  
25 Department of Health, in partnership with the Puget Sound Clean Air  
26 Agency and the University of Washington department of environmental  
27 and occupational health sciences, must implement, at scale,  
28 mitigation strategy projects identified in the mitigation plan  
29 developed by the work group created in section 4 of this act,  
30 including those piloted and identified as viable under section 5 of  
31 this act, to remediate past, and mitigate current and future,  
32 aviation-related pollution impacts and aviation-related noise  
33 impacts on aviation-impacted communities.

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1        NEW SECTION. **Sec. 7.** (1) A qualifying port district, acting through  
2 its commission, may expend funds, including from the fund authorized in  
3 RCW 53.20.090, in the district or general area to mitigate aviation-  
4 related air quality impacts and aviation-related noise impacts.

5        (a) A qualifying port district may expend funds for remediation and  
6 mitigation, and may participate in and expend funds for programs to  
7 identify, study, and make recommendations for remediation and mitigation  
8 of aviation-related pollution impacts and aviation-related noise  
9 impacts.

10       (b) A qualifying port district must expend funds, including from  
11 the fund authorized in RCW 53.20.090, to remedy deficient noise  
12 mitigation retrofits (also known as "port packages") in accordance with  
13 the mitigation plan and timeline developed by the work group created in  
14 section 4 of this act.

15       (2) A qualifying port district may contract with nonprofit  
16 corporations and private and public entities with expertise in relation  
17 to the purposes in this chapter.

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19       NEW SECTION. **Sec. 8.** A new section is added to chapter 43.09 RCW  
20 to read as follows: (1) By July 1, 2027, the state auditor must conduct  
21 a comprehensive evaluation of the Port of Seattle and Federal Aviation  
22 Administration's noise mitigation retrofits (also known as "port  
23 packages") that were installed in aviation-impacted communities and  
24 deliver a report including, without limitation, a conclusion and  
25 recommendations on each of the following:

26       (a) The extent to which the noise mitigation retrofits are  
27 effectively mitigating noise impacts as intended;

28       (b) The extent to which noise mitigation retrofits that are not  
29 operating effectively are due to improper installation, product defects,  
30 or other reasons;

31       (c) The extent to which there are other issues related to the  
32 installation, maintenance, or continued use of these noise mitigation  
33 retrofits;

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1 (d) The extent to which the Port of Seattle is adequately addressing  
2 noise mitigation retrofits that are identified as deficient under (a)  
3 through (c) of this subsection;

4 (e) The amount of funds directed to the Port of Seattle for the  
5 purpose of installing noise mitigation retrofits and the amount of funds  
6 expended by the Port of Seattle and other entities to install noise  
7 mitigation retrofits; and

8 (f) An estimate of the cost of replacing or repairing failed noise  
9 mitigation retrofits, and addressing additional harms and structural  
10 damages caused by improperly installed or functionally faulty retrofits;

11 (e) Additional steps the Port of Seattle, the legislature,  
12 municipalities, and others can take to adequately address deficient  
13 noise mitigation retrofits.

14 (2) If requested by the state auditor, the Port of Seattle must  
15 provide any records necessary to conduct the requirements of this  
16 section.

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18 **Sec. 9.** RCW 43.330.610 and 2024 c 194 s 5 are each amended to  
19 read as follows:

20 (1) (a) The department (~~(of commerce)~~) shall administer a grant  
21 program to provide assistance to qualifying port districts for  
22 expenses related to noise mitigation pursuant to RCW 53.54.030(2)(c)  
23 and (d).

24 ~~((2))~~ (b) The department (~~(of commerce)~~) shall prepare and  
25 publish an annual report on its website detailing grants made under  
26 this section. The report must include: (a) The number of inspectors  
27 or other professionals contracted; (b) the number of inspections  
28 conducted; (c) the number of properties provided with new or  
29 improved noise mitigation equipment subsequent to an inspection; (d)  
30 the number of properties receiving funds to address hazards or  
31 damages proven by an inspection to be associated with the  
32 installation of noise mitigation equipment; and (e) the number of  
33 inspected properties where no repairs occurred and the reasons why.

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1        ~~((3))~~ (c) A qualifying port district receiving funds under this  
2 section may commit to matching, from port district funds not subject  
3 to federal airport revenue use requirements, at least half of the  
4 total funding provided by the legislature under RCW 53.20.090 for  
5 the purposes of noise mitigation under RCW 53.54.030(2) (c) and (d)  
6 each fiscal year.

7        (2) (a) The department shall administer a grant program to assist  
8 qualifying organizations with expenses related to mitigation of  
9 aviation-related air quality impacts and aviation-related noise  
10 impacts on aviation impacted communities, as provided in chapter  
11 53.-- (the new chapter created in section 12 of this act).

12        (b) A qualifying organization may commit to matching funds  
13 provided by the legislature under RCW 53.20.090 for the purposes  
14 provided in (a) of this subsection (2).

15        ~~((4))~~ (3) For the purposes of this section ~~((7))~~:

16        (a) "Aviation-impacted communities" has the same meaning  
17 provided in section 1 of this act;

18        (b) "Aviation-related air quality impacts" has the same meaning  
19 provided in section 1 of this act;

20        (c) "Aviation-related noise impacts" has the same meaning  
21 provided in section 1 of this act;

22        (d) "Qualifying organization" means a community organization  
23 representing aviation-impacted communities, a municipality in which  
24 aviation-impacted communities are located, a qualifying port  
25 district, a local health jurisdiction serving aviation-impacted  
26 communities, an air pollution control authority overseeing air  
27 quality in aviation-impacted communities, or an institution of  
28 higher education conducting research on aviation-related air quality  
29 impacts or aviation-related noise impacts; and

30        (e) "~~(qualifying)~~ Qualifying port district" means a port  
31 district authorized to undertake programs for the abatement of  
32 aircraft noise under RCW 53.54.010.

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1       **Sec. 10.** RCW 53.20.090 and 2025 c 424 s 1911 are each amended  
2 to read as follows:

3       (1) The port district equity fund is created in the custody of  
4 the state treasurer. Moneys to the account may consist of  
5 appropriations by the legislature, contributions from county and  
6 local governments and port districts, and private contributions.  
7 Expenditures from the account may only be used to make grants to  
8 port districts or a qualifying organization under RCW 43.330.610.  
9 Only the director of the department of commerce or the director's  
10 designee may authorize expenditures from the account. The account is  
11 subject to the allotment procedures under chapter 43.88 RCW, but an  
12 appropriation is not required for expenditures. For the purposes of  
13 this subsection, "qualifying organization" has the same meaning  
14 provided in RCW 43.330.610.

15       (2) The department of commerce shall provide management services  
16 for the port district equity fund. The department shall establish  
17 procedures for fund management. The department shall develop the  
18 grant criteria, monitor the grant program, and select grant  
19 recipients.

20       (3) The department of commerce shall prepare and publish an  
21 annual report on its website detailing grants made under this  
22 section, the uses to which the grants have been put, and the  
23 benefits that have been realized.

24       ~~((4) During the 2023-2025 fiscal biennium, the legislature may~~  
25 ~~direct the state treasurer to transfer money in the port district~~  
26 ~~equity fund to the state general fund.))~~

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28       NEW SECTION. **Sec. 11.** If any provision of this act or its  
29 application to any person or circumstance is held invalid, the  
30 remainder of the act or the application of the provision to other  
31 persons or circumstances is not affected.

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33       NEW SECTION. **Sec. 12.** Sections 2 through 7 of this act constitute  
34 a new chapter in Title 53 RCW.

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