

1 AN ACT Relating to reducing environmental and health disparities
2 and improving the health of Washington state residents in large port
3 districts; amending RCW 43.330.610, 53.20.090, and 43.131.430; adding
4 a new section to chapter 43.09 RCW; adding a new chapter to Title 53
5 RCW; and creating a new section.

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

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

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

17 (b) Many building improvements, also known as port packages, such
18 as double and triple-paned windows, insulation, and HVAC systems
19 initially funded by the federal aviation administration and the Port
20 of Seattle designed to mitigate the noise impacts of the airport
21 activity have failed, resulting in unhealthy living conditions for

1 nearby communities due to poor ventilation, leaking windows, moisture
2 damage, mold growth, and structural rot; and

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

10 (2) Therefore, the legislature intends to:

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

15 (b) Establish a grant program to:

16 (i) Support the ongoing implementation of identified mitigation
17 strategies to address the cumulative impacts of aviation activity on
18 human and environmental health; and

19 (ii) Address deficiencies in port packages funded by the federal
20 aviation administration and the Port of Seattle; and

21 (c) Direct the office of the state auditor to complete an
22 assessment of the steps the Port of Seattle has taken to evaluate the
23 success of the port packages, identify related expenditures, evaluate
24 homeowner satisfaction, and make recommendations for future action.

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

28 (1) "Aviation-impacted communities" means communities located
29 within an impacted area as defined in RCW 53.54.020.

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

34 (b) "Aviation-related air quality impacts" include, without
35 limitation, emissions or air pollutants from aircraft activities
36 along landing and take-off paths, taxiing, ground support equipment,
37 or auxiliary power units.

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

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

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

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

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

19 NEW SECTION. **Sec. 3.** (1) By June 1, 2027, and then recurring
20 every two years, the University of Washington's department of
21 environmental and occupational health sciences must:

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

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

29 (c) (i) Create a clear, science-based approach for evaluating the
30 human and environmental health impacts, including cumulative impacts,
31 of aviation activity on both indoor and outdoor air quality and noise
32 in aviation-impacted communities.

33 (ii) The science-based approach:

34 (A) Must include, to the extent possible, an assessment of
35 relevant current research, reports, and studies from local, state,
36 national, and international sources; and

37 (B) Is not limited to federally defined standards or guidelines
38 and can include considering novel ways to measure noise, including
39 diverse decibel weighting.

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

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

6 (b) Data collected by the Puget Sound clean air agency and
7 University of Washington from the air pollutant monitoring stations
8 located in the cities of SeaTac and Des Moines; and

9 (c) Community participation to inform monitoring approaches and
10 evaluation goals, and identify priority populations in aviation-
11 impacted communities.

12 NEW SECTION. **Sec. 4.** (1) By January 1, 2027, the department of
13 commerce must convene and facilitate a work group that meets
14 quarterly for the first year and biannually in subsequent years to
15 provide diverse expertise and perspectives to inform the development
16 of mitigation strategies to address aviation-related air quality
17 impacts and aviation-related noise impacts on aviation-impacted
18 communities. The department of commerce must appoint the following
19 members to the work group:

20 (a) One representative from the Port of Seattle;

21 (b) One representative from the University of Washington's
22 department of environmental and occupational health sciences;

23 (c) One representative from the Washington state department of
24 health;

25 (d) One representative from the department of ecology;

26 (e) One representative from the Puget Sound clean air agency;

27 (f) One representative from the King county department of public
28 health;

29 (g) One representative from the city of Burien;

30 (h) One representative from the city of Des Moines;

31 (i) One representative from the city of Federal Way;

32 (j) One representative from the city of Normandy Park;

33 (k) One representative from the city of SeaTac;

34 (l) One representative from the Beacon Hill neighborhood of the
35 city of Seattle;

36 (m) One representative from the city of Tukwila;

37 (n) Seven representatives from aviation-impacted communities who
38 are not representatives, employees of, or professionally affiliated

1 with, any of the entities listed in (a) through (m) of this
2 subsection; and

3 (o) Six representatives from community advocacy organizations.

4 (2) The work group must:

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

8 (b) Identify a set of mitigation strategies that reflect work
9 group priorities, including strategies that have been proven
10 effective, can be implemented within the affected communities, and
11 reduce aviation-related air quality impacts, aviation-related noise
12 impacts, or both;

13 (c) Review noise mitigation retrofits, also known as port
14 packages, that were installed in aviation-impacted communities to
15 evaluate the extent to which the retrofits are deficient in
16 addressing aviation-related noise impacts;

17 (d) (i) Develop an ongoing mitigation plan for aviation-impacted
18 communities that includes priority mitigation strategies based on air
19 pollution and noise burden, technical requirements, eligibility
20 criteria, cost estimates, timelines, equity considerations, and
21 potential evaluation methods and metrics;

22 (ii) The first mitigation plan must be completed by October 1,
23 2027, and updated biennially thereafter;

24 (iii) The mitigation plan must include strategies to:

25 (A) Mitigate aviation-related noise impacts, including those
26 below the federal threshold of 65 decibels DNL for significant noise;

27 (B) Remedy deficient noise mitigation retrofits under (c) of this
28 subsection, including the use of lifetime warranty solutions where
29 appropriate, and develop a specific timeline to complete the work;
30 and

31 (C) Mitigate aviation-related air quality impacts, including
32 those that are presently science-based but may apply to known
33 pollutants that fall outside of, or below, the current federal
34 criteria pollutant thresholds otherwise applicable to aviation;

35 (e) Develop a community engagement plan to provide ongoing
36 education and outreach to aviation-impacted communities regarding
37 mitigation strategies and resources;

38 (f) Explore long-term funding options to mitigate aviation-
39 related air quality impacts and aviation-related noise impacts on
40 aviation-impacted communities including, without limitation, airport

1 landing fees and funding from the accounts created in chapter 70A.65
2 RCW; and

3 (g) Review the request for proposals document in accordance with
4 section 6 of this act.

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

8 NEW SECTION. **Sec. 5.** By December 1, 2027, based on the
9 mitigation plan in section 4 of this act and after consulting with
10 the work group established in section 4 of this act, the King county
11 department of public health, in partnership with the Puget Sound
12 clean air agency and the University of Washington department of
13 environmental and occupational health sciences, must:

14 (1) Identify and implement priority one-year mitigation strategy
15 pilot projects;

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

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

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

28 (b) The evaluation must consider the feasibility of
29 implementation, usability for building owners and users, resident
30 perceptions, impacts on the community, and scalability; and

31 (5) Submit findings to the work group created in section 4 of
32 this act to determine which projects should be scaled up for broader
33 implementation.

34 NEW SECTION. **Sec. 6.** (1) By December 1, 2028, the department of
35 commerce, in consultation with the work group created in section 4 of
36 this act, must develop an initial request for proposals document that
37 solicits projects to mitigate aviation-related air quality impacts,

1 aviation-related noise impacts, or both, in aviation-impacted
2 communities.

3 (2) The request for proposals document must include, at a
4 minimum:

5 (a) Successful pilot projects identified in section 5 of this act
6 that are considered applicable for broader implementation;

7 (b) Criteria that will be used to evaluate project proposals and
8 award grant funds; and

9 (c) Reporting requirements for grant recipients including,
10 without limitation, a method for evaluating the extent to which
11 implemented mitigation strategy projects achieved the intended
12 outcomes.

13 (3) The work group must regularly review and update the request
14 for proposals document based on updates to the mitigation plan in
15 section 4 of this act and information from projects awarded grants
16 under RCW 43.330.610.

17 NEW SECTION. **Sec. 7.** (1) A qualifying port district, acting
18 through its commission, must expend funds, including from the port
19 district equity fund authorized in RCW 53.20.090, in the district or
20 general area to mitigate aviation-related air quality impacts and
21 aviation-related noise impacts, including to remedy deficient noise
22 mitigation retrofits, also known as port packages, in accordance with
23 the mitigation plan and timeline developed by the work group created
24 in section 4 of this act.

25 (2) A qualifying port district may participate in and expend
26 funds for programs to identify, study, and make recommendations for
27 remediation and mitigation of aviation-related air quality impacts
28 and aviation-related noise impacts.

29 (3) A qualifying port district may contract with nonprofit
30 corporations and private and public entities with expertise in
31 relation to the purposes in this chapter.

32 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.09
33 RCW to read as follows:

34 (1) By July 1, 2028, the state auditor must conduct a
35 comprehensive evaluation of the Port of Seattle and federal aviation
36 administration's noise mitigation retrofits, also known as port
37 packages, that were installed in aviation-impacted communities and

1 deliver a report including, without limitation, a conclusion and
2 recommendations on each of the following:

3 (a) The extent to which the Port of Seattle has evaluated whether
4 the noise mitigation retrofits that were installed were successful;

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

9 (c) An estimate of the cost of replacing or repairing failed
10 noise mitigation retrofits, and addressing additional harm and
11 structural damage caused by improperly installed or functionally
12 faulty retrofits;

13 (d) Additional steps the Port of Seattle, the legislature,
14 municipalities, and others can take to adequately address deficient
15 noise mitigation retrofits; and

16 (e) The extent to which homeowners are satisfied with the noise
17 mitigation retrofits installed in their homes.

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

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

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

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

38 ~~((3))~~ (c) A qualifying port district receiving funds under this
39 section may commit to matching, from port district funds not subject

1 to federal airport revenue use requirements, at least half of the
2 total funding provided by the legislature under RCW 53.20.090 for the
3 purposes of noise mitigation under RCW 53.54.030(2) (c) and (d) each
4 fiscal year.

5 ~~((4))~~ (2)(a) The department must administer a grant program to
6 assist qualifying organizations with expenses related to the
7 implementation of mitigation strategies identified in the mitigation
8 plan developed in section 4 of this act. When determining grant
9 recipients under this subsection, the department must, at a minimum,
10 utilize the request for proposals document developed in section 6 of
11 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.

15 (3) For the purposes of this section(~~(, "qualifying")~~):

16 (a) "Aviation-impacted communities" has the same meaning as in
17 section 2 of this act;

18 (b) "Aviation-related air quality impacts" has the same meaning
19 as in section 2 of this act;

20 (c) "Aviation-related noise impacts" has the same meaning as in
21 section 2 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 higher
28 education conducting research on aviation-related air quality impacts
29 or aviation-related noise impacts; and

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

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

35 (1) The port district equity fund is created in the custody of
36 the state treasurer. Moneys to the account may consist of
37 appropriations by the legislature, contributions from county and
38 local governments and port districts, and private contributions.
39 Expenditures from the account may only be used to make grants to port

1 districts or a qualifying organization under RCW 43.330.610. Only the
2 director of the department of commerce or the director's designee may
3 authorize expenditures from the account. The account is subject to
4 the allotment procedures under chapter 43.88 RCW, but an
5 appropriation is not required for expenditures. For the purposes of
6 this subsection, "qualifying organization" has the same meaning as in
7 RCW 43.330.610.

8 (2) The department of commerce shall provide management services
9 for the port district equity fund. The department shall establish
10 procedures for fund management. The department shall develop the
11 grant criteria, monitor the grant program, and select grant
12 recipients.

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

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

20 **Sec. 11.** RCW 43.131.430 and 2024 c 194 s 9 are each amended to
21 read as follows:

22 The following acts or parts of acts, as now existing or hereafter
23 amended, are each repealed, effective July 1, 2030:

24 (1) RCW 43.330.610 and 2026 c . . . s 9 (section 9 of this act) &
25 2024 c 194 s 5; and

26 (2) RCW 53.20.090 and 2026 c . . . s 10 (section 10 of this act),
27 2025 c 424 s 1911, & 2024 c 194 s 6.

28 NEW SECTION. **Sec. 12.** 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.

32 NEW SECTION. **Sec. 13.** Sections 2 through 7 of this act
33 constitute a new chapter in Title 53 RCW.

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