

EFFECT:

- Requires the State Auditor to conduct a comprehensive evaluation of noise mitigation retrofits by July 1, 2029, instead of July 1, 2028.
- Removes provisions relating to the Port District Equity Fund and instead references the State Aircraft Noise and Air Quality Mitigation Account (Mitigation Account) created in pending legislation (Senate Bill 6240).
- Directs the Department of Commerce to administer a mitigation grant program prioritizing the use of funds in the Mitigation Account instead of the Port District Equity Fund.
- Makes other technical changes.

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

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

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

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

16 (b) Many building improvements, also known as port packages, such
17 as double and triple-paned windows, insulation, and HVAC systems
18 initially funded by the federal aviation administration and the Port
19 of Seattle designed to mitigate the noise impacts of the airport
20 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.

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

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

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

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

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

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

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

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

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

(ii) The science-based approach:

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

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

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

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

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

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

NEW SECTION. **Sec. 4.** (1) By January 1, 2027, the department of 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 on aviation-impacted communities. The department of commerce must appoint the following members to the work group:

(a) One representative from the Port of Seattle;

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

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

(d) One representative from the department of ecology;

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

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

(g) One representative from the city of Burien;

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

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

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

(k) One representative from the city of SeaTac;

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

(m) One representative from the city of Tukwila;

(n) Seven representatives from aviation-impacted communities who 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 state aircraft noise and air
2 quality mitigation account created in chapter . . . (Senate Bill No.
3 6240), Laws of 2026 and the accounts created in chapter 70A.65 RCW;
4 and

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

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

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

16 (1) Identify and implement priority one-year mitigation strategy
17 pilot projects;

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

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

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

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

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

36 NEW SECTION. **Sec. 6.** (1) By December 1, 2028, the department of
37 commerce, in consultation with the work group created in section 4 of
38 this act, must develop an initial request for proposals document that

1 solicits projects to mitigate aviation-related air quality impacts,
2 aviation-related noise impacts, or both, in aviation-impacted
3 communities.

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

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

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

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

14 (3) The work group must regularly review and update the request
15 for proposals document based on updates to the mitigation plan in
16 section 4 of this act and information from projects awarded grants
17 under section 9 of this act.

18 NEW SECTION. **Sec. 7.** (1) A qualifying port district, acting
19 through its commission, must expend funds, including from the port
20 district equity fund authorized in RCW 53.20.090 and from grants
21 awarded under section 9 of this act, in the district or general area
22 to mitigate aviation-related air quality impacts and aviation-related
23 noise impacts, including to remedy deficient noise mitigation
24 retrofits, also known as port packages, in accordance with the
25 mitigation plan and timeline developed by the work group created in
26 section 4 of this act.

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

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

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

36 (1) By July 1, 2029, the state auditor must conduct a
37 comprehensive evaluation of the Port of Seattle and federal aviation
38 administration's noise mitigation retrofits, also known as port

1 packages, that were installed in aviation-impacted communities and
2 deliver a report including, without limitation, a conclusion and
3 recommendations on each of the following:

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

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

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

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

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

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

22 NEW SECTION. **Sec. 9.** (1)(a) The department must administer a
23 grant program to assist qualifying organizations with expenses
24 related to the implementation of mitigation strategies identified in
25 the mitigation plan developed in section 4 of this act.

26 (b) In administering the grant program in this section, the
27 department must prioritize the use of funds in the state aircraft
28 noise and air quality mitigation account created in chapter . . .
29 (Senate Bill No. 6240), Laws of 2026.

30 (c) When determining grant recipients under this section, the
31 department must, at a minimum, utilize the request for proposals
32 document developed in section 6 of this act.

33 (d) A qualifying organization may commit to matching funds
34 provided by the legislature for the purposes provided in (a) of this
35 subsection.

36 (2) For the purposes of this section:

37 (a) "Department" means the department of commerce.

38 (b) "Qualifying organization" means a community organization
39 representing aviation-impacted communities, a municipality in which

1 aviation-impacted communities are located, a qualifying port
2 district, a local health jurisdiction serving aviation-impacted
3 communities, an air pollution control authority overseeing air
4 quality in aviation-impacted communities, or an institution of higher
5 education conducting research on aviation-related air quality impacts
6 or aviation-related noise impacts.

7 NEW SECTION. **Sec. 10.** If any provision of this act or its
8 application to any person or circumstance is held invalid, the
9 remainder of the act or the application of the provision to other
10 persons or circumstances is not affected.

11 NEW SECTION. **Sec. 11.** Sections 2 through 7 and 9 of this act
12 constitute a new chapter in Title 53 RCW.

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