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Yvonne Walker 786-7841
House - Local Government Committee
October 28, 2019 (9:22 AM)

AN ACT Relating to repairing, replacing, and updating previously installed noise abatement soundproofing structures located within an impacted area; and amending RCW 53.54.030.

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

Sec. RCW 53.54.030 and 1993 c 150 s 1 are each amended to read as follows:

For the purposes of this chapter, in developing a remedial program, the port commission may utilize one or more of the following programs:

- (1) Acquisition of property or property rights within the impacted area, which shall be deemed necessary to accomplish a port purpose. The port district may purchase such property or property rights by time payment notwithstanding the time limitations provided for in RCW 53.08.010. The port district may mortgage or otherwise pledge any such properties acquired to secure such transactions. The port district may assume any outstanding mortgages.

1 (2) Transaction assistance programs, including assistance with
2 real estate fees and mortgage assistance, and other neighborhood
3 remedial programs as compensation for impacts due to aircraft noise
4 and noise associated conditions. Any such programs shall be in
5 connection with properties located within an impacted area and shall
6 be provided upon terms and conditions as the port district shall
7 determine appropriate.

8 (3) Programs of soundproofing structures located within an
9 impacted area. Such programs may be executed without regard to the
10 ownership, provided the owner waives damages and conveys an easement
11 for the operation of aircraft, and for noise and noise associated
12 conditions therewith, to the port district.

13 (4) Mortgage insurance of private owners of lands or
14 improvements within such noise impacted area where such private
15 owners are unable to obtain mortgage insurance solely because of
16 noise impact. In this regard, the port district may establish
17 reasonable regulations and may impose reasonable conditions and
18 charges upon the granting of such mortgage insurance: PROVIDED, That
19 such fees and charges shall at no time exceed fees established for
20 federal mortgage insurance programs for like service.

21 (5) An individual property may be provided benefits by the port
22 district under each of the programs described in subsections (1)
23 through (4) of this section. However, an individual property may not
24 be provided benefits under any one of these programs more than once,
25 unless the property:

26 (a) is subjected to increased aircraft noise or differing
27 aircraft noise impacts that would have afforded different levels of
28 mitigation, even if the property owner had waived all damages and
29 conveyed a full and unrestricted easement; or

30 (b) contains a soundproofing installation or structure,
31 previously installed pursuant to a remedial program for aircraft
32 noise abatement under this chapter, that is in need of a repair,
33 replacement, or upgrade.

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1 (6) Management of all lands, easements, or development rights
2 acquired, including but not limited to the following:

3 (a) Rental of any or all lands or structures acquired;

4 (b) Redevelopment of any such lands for any economic use
5 consistent with airport operations, local zoning and the state
6 environmental policy;

7 (c) Sale of such properties for cash or for time payment and
8 subjection of such property to mortgage or other security

9 transaction: PROVIDED, That any such sale shall reserve to the port
10 district by covenant an unconditional right of easement for the
11 operation of all aircraft and for all noise or noise conditions
12 associated therewith.

13 (7) A property shall be considered within the impacted area if
14 any part thereof is within the impacted area.

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