

**Key West International Airport
Ad-hoc Committee on Airport Noise**

Agenda for Tuesday, April 1st, 2014

Call to Order 2:00 pm Harvey Government Center

Roll Call

- A. Review and Approval of Meeting Minutes
 - 1. For June 4th, 2013
 - 2. For August 6th, 2013
- B. Discussion of Part 150 Study Update -
 - 1. Role of the FAA and the Part 150 Process
 - 2. Noise Exposure Maps
 - 3. Noise Compatibility Program
 - i. Mitigation
 - 4. Mitigation
- C. Other Reports:
 - 1. Noise Hotline and Contact Log
 - 2. Airport Noise Report
- D. Other Discussion
 - 1. Meeting Schedule for 2014

February 4th	April 1 st	June 3 rd
August 5 th	October 7 th	December 2 nd
- E. Next meeting: June 3rd, 2014

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

**KWIA Ad-Hoc Committee on Noise
June 4, 2013 Meeting Minutes**

Meeting called to order by Commissioner Kolhage at 2:00 PM.

ROLL CALL:

Committee Members in Attendance:

Commissioner Danny Kolhage
Kay Miller
Robert Padron
Sonny Knowles
Marlene Durazo
Dr Julie Ann Floyd
Harvey Wolney

Staff and Guests in Attendance:

Peter Horton, KWIA.
Deborah Lagos, URS Corp.
Dan Botto, URS Corp.
Matt Herum
R. L. Blazevic, Resident
Robert Gold, Resident
Brent Robbins, Resident
Stewart Andrews, Resident
Brendan Cunningham, City of Key West

A quorum was present.

**Review and Approval of Meeting Minutes for the February 5th and April 2nd,
2013 Ad Hoc Committee Meetings**

Commissioner Kolhage asked if there were any comments on the meeting minutes for either the February or April meetings. No comments were volunteered. Kay Miller motioned for approval and Marlene Durazo seconded the motion. There were no objections and the motion carried.

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Discussion of Part 150 Study Update

Role of the FAA and the Part 150 Process

Dan Botto discussed the role of the FAA in the Part 150 Study and process. A handout describing this role and the process was provided to the Committee at the behest of the FAA, and will be provided at each meeting. The Committee was reminded that the FAA does not automatically approve all recommended measures of the Part 150 Study.

Dan explained that the FAA also does not approve the NEMs, they strictly determine if the NEMs are in compliance with the Part 150 requirements, and will issue a Notice of Compliance in the Federal Register. They will make sure that URS and the Airport are following the rules and regulations that govern the Part 150 Process and that the public was included; additionally, they will provide guidance and instruction as to items that were not covered or covered improperly.

Dan further mentioned that the approval role of the FAA occurs during the Noise Compatibility Program [NCP] where recommendations are made for operational and/or land use mitigation measures, like the NIP. That is where the FAA will approve or disprove each recommendation based on the Part 150 requirements.

Dan continued that we are currently in the NCP process and will be discussing items for recommendation in today's meeting. Deborah Lagos mentioned that the handout provided at every meeting lists the criteria or filter that the FAA uses when reviewing the recommended mitigation measures. Deborah further explained that the goal is to make recommendations that will be approved by the FAA.

Robert Gold asked if there is an opportunity for public comment on this document. Peter Horton explained that the NCP has been placed on the agenda for the July Monroe County Board of County Commissioners (BOCC) monthly meeting as a Public Hearing. Dan explained further that today's meeting is also a place for public comments.

Noise Compatibility Program

Deborah Lagos explained that the NCP contains information that had previously been discussed in the Ad Hoc meetings and the NCP was attempting to document those recommendations. Furthermore, if the recommendations do not clearly

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present the ideas of this committee, please provide your comments here and any item will be revised.

Operational Alternatives:

Deborah began by discussing the first section, "Consideration of Operational Alternatives." The previous meetings provided many good ideas, and we put those ideas into the proper format for the NCP. Also, there are items included that are required and if we are not recommending them, the documentation must describe why they are not being recommended.

Dan Botto began the discussion of specific items covered in the Operational Alternatives section.

Barriers and Acoustic Shielding: Dan Botto mentioned that a previous study to determine the applicability of noise barrier at Key West had determined that the distance between the noise producer and noise receptor is too great for the barrier to have any noticeable effect. The NCP is not recommending this alternative.

Ground Power Units: Dan Botto indicated that this was discussed at previous meetings. No definitive research shows the use of GPUs reduce noise, but as the noise source is positioned lower to the ground than the onboard power unit, it may result in less annoyance. Furthermore, there is a reduction in air quality emissions. The voluntary use of GPUs is recommended, when time and safety permits.

Aircraft Run-up Location: Dan Botto explained that there is currently mandatory use between 11 pm and 7 am, and voluntary for the rest of the day. The NCP recommends that this policy remain in place, with the addition of improved education of airport users, including lighted signs on the runway, handouts and Jeppeson inserts. Kay Miller asked if this is primarily for the GA pilots. Dan responded by mentioning a conversation with the Delta station chief where she said that the pilots are constantly being rotated on and off the Key West flights and may not be aware of current noise abatement procedures. Deborah Lagos mentioned that this is more applicable to GA than commercial since most commercial aircraft do not require a preflight warm-up.

Runway Utilization: Dan Botto said that with a single runway system, runway utilization is based on prevailing winds and KWIA is oriented so that prevailing winds produce the most favorable utilization regarding aircraft noise. Aircraft primarily arrive and depart from Runway 09, with quieter arrival operations occurring from the west over the island and louder departure operations occurring

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to the east over water. Furthermore, any utilization change would be minimal as wind dictates flight direction.

Robert Gold questioned the statement at the top of page 8-5 in the NCP discussing that the increased use of Runway 27 would increase the amount of noncompatible land use, therefore there is no benefit of shifting operations to Runway 27. Mr. Gold stated that this was a hasty and not quantified conclusion. Robert says he understands that there are areas that would receive greater impact but there are larger areas that would have reduced impacts. The language implies that there would be no net change. Robert continued that he does not believe this to be true, and that similar logic is used in the Alternate Approach in Section 8-4. Robert also said he would register the strongest disagreement with the logic being used. Robert's interpretation is that if anyone would receive a higher noise level due to a change, this is a rationale for ruling out the use of the alternative, but he feels there is significant opportunity to "spread the pain" in a way that would reduce noise levels for more than would receive higher noise levels.

Dr. Julia Ann Floyd believes that the use of noise levels as a reason to not recommend a change in runway use does not even need to be included in the document because runway use is so dictated by wind conditions that changing runway utilization is not a viable option. Robert Gold suggests that with no statistics to backup that information, operations should land on Runway 27 whenever wind permits. Sonny Knowles explained that the only time this would be an option would be when wind is below 5 knots, and this would result in departures from 27 creating more noise over the island because the ATCT would not be able to operate flights head to head (arrive 27 and depart 09). Dr. Floyd mentioned that calm winds occur very infrequently at KWIA, and when the winds do resume the airport would have to be reconfigured (operationally) to handle into the wind operations, which would most likely result in using Runway 09. Robert Gold stated that his objection is that the language used in the NCP implies that if any person experiences more noise as the result of an alternative, then the alternative is rejected. He objects to the logic of that statement.

Deborah Lagos explained the FAA is going to look at the DNL 65 dB (and above) contour and that is their criteria to determine if an alternative is improving the situation or not, then there is everything outside the 65. There could be changes that show no positive change within the 65 but have changes outside the 65. Unfortunately the FAA does not consider those areas in their decision making. For any type of operational measure that is recommended for approval, we have to show that there is either a reduction in the size of the 65 contour or the shape shifts so there are less people included in the 65 contour. Deborah continued that

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we can rewrite the recommendation so that it does not imply that there couldn't be a benefit, but unfortunately any modeled scenario would show an increase in size or number of impacted people if we increased departures off Runway 27. Departures are louder than arrivals and reversing the flow will immediately cause the contour to enlarge along the departure path.

Mr. Gold reiterates that it is the logic not the strategy of the Runway 27 usage that he objects to. Kay Miller asked what is the solution. Commissioner Kolhage asked what difference does it make if it doesn't change the conclusion. Sonny Knowles interjected that he feels the entire 8-3 section was intended for airports with multiple runways and was not designed for airports with a single runway. Deborah Lagos indicated that the text will be changed to indicate that for a single runway airport, this is not really a viable or appropriate option. Commissioner Kolhage asked if the change will still come to the same conclusion. Deborah Lagos said that the change will be along the lines of "because this is a single runway airport, it is not practical to implement a preferential runway use." Peter Horton continued that this is not a viable option especially when you consider KWIA has concentric airspace with NAS Key West. Dan Botto mentioned that the previous paragraph discusses the other mitigating factors such as wind conditions and interactions with NASKW. Peter Horton also indicated that the 737 and larger aircraft find it safer to arrive to 09 with the 3 mile stabilized approach instead of landing to 27 with possible conflicts with US Navy aircraft. Sonny Knowles mentioned that even if the flights come in east of the Navy there would still be airspace conflicts. Peter Horton said from an operational side, he would not want to see Runway 27 as the preferred arrival runway.

Kay Miller asked Mr. Gold if he accepts these changes. Mr. Gold agreed and said that the text as it stands does not prove the conclusion that current runway utilization "generates the least noise impact."

Intersection Departures: Dan Botto discussed that one of the items from the previous meeting was for smaller aircraft to use the taxiway C intersection for departures. The NCP recommends that smaller aircraft, when weather and safety permit, use the taxiway C intersection, instead of the Runway 09 end, for departures. This change would move single noise events caused by the smaller aircraft approximately 1,000 feet to the east, away from the residential areas off the end of Runway 09. Sonny Knowles indicated that there are currently some aircraft, including one of the island tour biplanes, that use this when possible, which does keep noise away from the residential areas. Dr. Floyd mentioned that one of the first things you learn when flying is to use all the available runway in case there is a mechanical problem. If you were to lose an engine, you would much

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rather have flat runway in front of you instead of water or a salt pond. The pilots look at what is more safe versus less safe, and the pilots would not like to operate if they had to use the taxiway C intersection departure. Dan Botto pointed out that this would strictly be a voluntary procedure. Sonny Knowles said it is definitely more safe to use the whole runway, but it is sometimes more convenient to use the taxiway C intersection.

Modification of Flight Tracks: Dan Botto explained that Section 8-4 discusses the ability to modify flight tracks and then provides figures indicating that currently aircraft do not follow any single flight track into KWIA. Commercial aircraft and jet aircraft prefer to use a 3 mile final, but other aircraft fly the most convenient route, weather, traffic, aircraft handling, and pilot skill permitting. Sonny Knowles indicates that many times the pilot wants to make a short approach to save time and/or fuel and the tower will extend your base leg due to traffic.

Robert Gold mentioned the text on page 8-7, "previously KWIA instituted an alternative voluntary approach from the north for smaller aircraft." Robert continued that the language used in the text does not quantify the level of impact caused by the implementation of the Garrison Bight Approach. Without quantification of the noise complaints then increasing from 1 to 10 complaints could be viewed as the same as increasing from 10 to 100 complaints. The way the language is, any increase in complaints results in the alternative being discounted. Mr. Gold feels that there is a false equation being presented here. Robert believes that there are far fewer homes under the Garrison Bight Approach than under the scenic straight-in approach, and while he does understand that commercial and jet traffic will use the 3 mile final, he is advocating that there are voluntary procedures for the smaller aircraft to mix up the approach paths. Mr. Gold also believes that the figures indicating flight tracks do not relay any useful information and is misleading since most aircraft still use the straight in approach. Robert believes that the information provided does not sufficiently close the issue of alternate approach paths. Dan Botto mentioned that during the analysis of the Garrison Bight Approach; there was a noticeable bulge in the contour along the GB approach path, with the corresponding increase in noncompatible land use. When the suggested use of the GB approach was rescinded, the contour was reduced thereby indicating that the random dispersion already in place resulted in fewer noncompatible land uses than the voluntary use of the GB Approach. Dan continued that due to the density of residential land uses around KWIA, there are not any viable options to direct aircraft flights that will not result in an increase in impacted noncompatible land.

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Robert Gold remarked that he believes the DNL 65 dB noise contour skews the results with respect to the number of homes affected. There certainly will be people under the GB Approach that will experience a higher noise level, but the trade-off will be an equal reduction in noise over a lot more homes on the straight in approach.

Robert Gold continued that he believes that the way in which this has been modeled obscures a more careful analysis and the language precludes voluntary guidelines for noncommercial VFR traffic to mix up their flight paths. Robert feels that the language in the NCP closes the discussion.

Peter Horton commented that the figures of the arrival radar tracks show many aircraft still use the GB Approach, but the tracks also show many aircraft follow the VOR to Fleming Key and then make a left turn to the runway. The departure flight track figure also show many aircraft depart over Garrison Bight, usually in response to direction from the Tower.

Peter continued that, based on his history at KWIA, Mr. Gold's assumption is flawed if he thinks the citizens of Key West will be willing to share the pain. He has yet to have someone approach him and ask to have aircraft fly over their home to relieve others of some of the noise. Mr. Gold responded that the roll of government is to impose burdens on society when society is unwilling to impose those burdens themselves.

Robert continued saying he believes the straight-in approach covers the greatest number of homes of any possible flight track into KWIA. Peter Horton agreed with him. Mr. Gold also wanted to augment his comments to include the business jets and the air tour biplanes to limit the flights of both of these types over Old Town.

Commissioner Kolhage asked where are the noise complaints primarily emanating from. Dan Botto responded that recently there are very few noise complaints, but they tend to be clustered from Linda Avenue, Key West by the Sea, and the areas directly off the end of the runway. Deborah Lagos mentioned the areas between Fourth and Harris, and Stewart Andrews indicated that he has called from his home on Staples Avenue.

Mr. Gold asked if there is any discussion in the NCP of the corporate jets or the air tour biplanes, as these are both louder than the 737's. Dan Botto mentioned that in a later section there is a discussion regarding the phasing out of the older noise stage 1 and 2 corporate jets. Sonny Knowles indicated that the air tours don't fly the straight in approach. They circle the island and then try to get onto

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the ground as quickly as possible to pick up the next tour. If they are on the straight-in approach, it is at the request of the Tower.

Robert Gold then asked if there was any way to help document the noise from the biplanes because it doesn't seem like they are just passing over, but they are actually circling his neighborhood. Marlene Durazo explained that it seems like they do that around Key West by the Sea also. Peter Horton asked that in Section 11 we specifically address the biplane operators and ask them to fly in the most noise sensitive method. Sonny believes that the operators would be more than happy to comply when possible. Peter continues that monitoring their flight paths would be part of the role of the noise compliance officer recommended in Section 11. Peter explained that these are not just strategies that we want to try, but are recommendations of the NCP. Robert Gold believes that the biplane pilots don't know how much noise they produce, or they know and don't care; he believes it is that they know and don't care. He believes that without official policy they will not abide by any requests.

Marlene Durazo asked where would the biplane discussion be placed in the NCP. Deborah Lagos said will put it in as Section 8.4.4, and will be included in Section 11 as a recommended measure. Dan Botto asked what are the biplanes doing. Sonny Knowles said they do air tours, banner towing and aerobatics, but the aerobatics are performed away from the island in a designated area. Dan Botto indicated that the section will be a discussion of air tour and banner towing operations.

Peter Horton indicated that there are multiple pilots that are flying these tours, and the owner is responsible to tell his pilots about the areas to avoid. Peter continued that the airport has been getting complaints about the biplanes for years, so a simple discussion with the operators will not last and there must be an ongoing process. Dan Botto mentioned that as part of the program management measures, better education of the pilots using KWIA regarding noise sensitive areas and noise mitigation methods has been included in the recommendations. Deborah Lagos indicated the NCP will add these particular users to that discussion also.

Helicopter Operations: Dan Botto indicated that there have been complaints regarding helicopters operating to the north of the airport. Because of the ability of the helicopters to fly below areas of US navy activity, the NCP recommends that when conditions permit, helicopters should arrive and depart to the south of the airport. This would be a voluntary recommendation, and obviously would not apply to Coast Guard, Life Flight, and other official and emergency operations. Sonny Knowles felt that was certainly a reasonable request for the helicopter

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operators to avoid noise sensitive areas, but there are times when they are photographing particular areas of real estate and may not be able to avoid these areas. Mr. Blazevic mentioned that the visiting helicopters use the easiest route in and out which is from the north. Commissioner Kolhage indicated that some of the flights could be Mosquito Control and are not going to change.

Airport Use Restrictions: Dan explained that these are ways to limit the louder aircraft from using the airport, or times that the airport may be used.

Denial of use to aircraft not meeting Federal noise standards: All of the commercial aircraft currently meet Federal noise standards and as of December 31, 2015 all of the small business jets and privately owned jets will have to meet the Federal noise standards. There are currently no noise standards for small piston aircraft. Use restrictions based on noise levels are not recommended.

Capacity limitation based on relative noisiness: The louder aircraft will be fully phased out within 2 years, and to limit would require a Part 161 study which could cost upwards of a million dollars. Robert Gold asked what will be the effect of the phase out. Sonny Knowles said there are not many of the older business jets flying into Key West. Dan Botto mentioned that while some of the aircraft will be replaced, re-engined, or hush-kitted, many will just be retired as the owners will not be able to afford to meet the new standards.

Marlene Durazo asked about the effect of opening Cuba up to direct flights. Dan Botto said the aircraft will still have to meet the noise standards wherever they come in from. Sonny Knowles said that there has been a reduction in flights due to fuel costs and that can be expected to continue.

Required use of noise abatement takeoff and/or approach procedures: KWIA already uses the voluntary close-in departure procedures, and the NCP will recommend voluntary use of the NBAA close-in arrival procedures and the propeller and power adjustment procedure, when safety permits. This information will be provided to local and visiting pilots.

Landing fees based on noise levels or time of arrival: Any restrictions based on noise levels or landing fees would require a Part 161 analysis, and due to cost is not being recommended for the NCP.

Partial or complete curfews: Currently KWIA has a voluntary curfew between 11 pm and 7 am. The NCP will recommend that this continues and would be included in the education of local and visiting pilots. Peter Horton said that the monitoring of this would be part of the noise coordinator's job.

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Deborah Lagos mentioned an article that was provided to the committee regarding two California airports that have tried to implement mandatory curfews for years and have not been successful. Burbank Airport says they have spent millions of dollars over a decade to perform a Part 161 Study to approve a curfew. There is now a congressman trying to get this brought up again for Burbank and Van Nuys. Dr. Floyd mentions that these curfews can interfere with flights that may be family emergencies. These late night flights are not usually somebody wanting to go party in Miami Beach. How would you feel if one of these curfews would impact your family, or affected the safety of the flight?

Land Use Alternatives:

Deborah Lagos began the discussion of the Land Use Alternatives, Section 9 of the NCP. The NCP looks at measures that look at existing impacts and preventative measures. The biggest item of land use measures will be the NIP [Noise Insulation Program], but we want to draw your attention to Section 9.2 with the description of the various type of land uses that are not compatible with the noise level, and the description of why some of those particular places are not being considered for the mitigation program, and why some are included, for example, the condominiums at Ocean Walk and Las Salinas, and the Doubletree Hotel. These facilities were warned before they were constructed that they were in a noise impact area. Peter Horton explained that they receive very few complaints from these areas as they were constructed with the noise in mind. Peter asked if transient lodging [hotels] were considered compatible land use. Deborah explained that they are not compatible, but they are not typically mitigated. Deborah mentioned the specific condominiums, apartments, and hotels that are not being included in the mitigation, all along the eastern end of the airport. Deborah also mentioned that the high school is not included in the mitigation because they were part of the previous Part 150 mitigation.

Robert Padron mentioned that the data for Key West by the Sea may not be accurate; it should be 206 units, not 203, which Dan Botto explained that the information was correct in the tables, but had not been changed in the text. Robert pardon also believed the year built and acreage may be off. Deborah asked if anyone had documentation of this information to please send it along, as her only source was the Monroe County Tax Assessor's website.

Deborah Lagos also mentioned the other areas within the contour that are not compatible, such as Grace Lutheran School and parts of the Catholic Charities property. Ray Blazevic asked if this means they are eligible for some form of noise mitigation. Deborah informed him that yes they will be.

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Stewart Andrews said that the building on the back of the Catholic Charities properties are new and should not be included in the NIP. Ray Blazevec also reminded the Committee that these building had previously been a church and now were residences.

Peter Horton asked if there are 346 units to be NIP'ed and Deborah explained that the number might change based on this discussion and other eligibility determinations.

Deborah Lagos directed the Committee to look at Figure 9.1 to see the noise contour with the areas to be included in mitigation identified. Keep in mind that many properties in the mitigation areas have been mitigated previously. Deborah continued describing how the areas were chosen and how the "Block Rounding" was developed.

Stewart Andrews also believes that the townhomes in the Sun Terrace area are new, but Deborah indicates that this area was not in the previous contour so they would still be eligible.

Deborah asked the Committee if they thought there were other areas that should be included or if they thought there were any areas included that should not be included.

Peter Horton asked if all of Key West by the Sea is included in the mitigation. Dan Botto and Deborah discussed altering the mitigation map in the NCP because the areas to be included were not completely clear.

Marlene Durazo asked if the map would be revised before submittal to FAA. Deborah said that it would be revised to show more clearly the areas to be mitigated.

Deborah mentioned that Table 9-1 quantifies all the housing units in the mitigation areas.

Deborah explained that we are not going to go over the land use measures that are not being recommended. Deborah continued that the Land Use Recommendations consist of the Noise Insulation Program, which will be similar to the previous NIP, with the difference of nonparticipants, either by choice or because it is determined that their house does not meet eligibility standards, being offered the purchase of an avigation easement. It is a onetime monetary payment. Kay Miller asked how much the easement would be purchased for. Deborah said they should be in the neighborhood of \$5,000 each. Commissioner Kolhage asked what is the

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purpose of the easement and Deborah explained that the easement is for the acknowledgement of the noise and that the homeowner will not seek damages for noise. Commissioner Kolhage asked what is the homeowner supposed to do with the money or is it just compensation for the noise. Deborah explained that it is just compensation.

Dr. Floyd asked if the easement held up or did people come after the airport at a later date anyway. Kay Miller explained that the Avigation Easements stand up pretty well to legal challenges.

Commissioner Kolhage asked if the new FAA guidance will require every unit in Key West by the Sea to be tested. Deborah explained that the guidance is not completely clear on the testing procedures. Currently the methodology seems to be to group the units by construction type, age, number of stories, and any other number of parameters that can be identified. Then we will quantify the number of units in each category and select a minimum of 10 % of each category will be pretested. The mitigation will be designed based on the pretest, and the test homes will be post tested to determine if the mitigation is effective or if it needs to be adjusted to meet noise reduction standards. Deborah continued that there is a down side to this testing, if a house in any category tests as already having the desired outdoor to indoor noise levels, that house and all the others in that category could be denied mitigation. Deborah explained that the FAA has only recently come out with this guidance and the process will probably evolve as the methodology is actually put into practice.

Stewart Andrews asked if there is a certain level of noise reduction that must be met. Deborah Lagos explained that a minimum of 5 dB is required. She continued that if it is already quiet enough inside then the home could be ruled ineligible.

Deborah asked if the Committee was in favor of offering the easement option. Kay Miller felt that if the people did not want to participate in the NIP, they would most likely appreciate the easement. Dr. Floyd suggested that some homeowners would rather not have the easement because then if they sell their house the next owner has no recourse.

Deborah continued that the NCP will offer a NIP with an avigation easement or strictly the purchase of an avigation easement to the eligible home. She also reminded the Committee that we will review the eligibility of the Catholic Charities facilities.

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Deborah asked the Committee what is their feeling about including Grace Lutheran School. The consensus was that it was an old facility for the most part and should be included.

Deborah continued with the preventative land use measures. She continued that in the previous Part 150, it was recommended that a couple of parcels be rezoned to prevent noncompatible land uses. These recommendations were not completed by the City. The Airport is currently in negotiations to purchase the parcel at the east end of the runway, but the NCP will recommend the purchase of an aviation easement for the vacant lot on Flagler Avenue.

Deborah mentioned that in the previous NCP, it was recommended that the City add compatible land use zoning regulations, but this did not happen. In this NCP, we are recommending they just modify a paragraph in the existing zoning regulations that will make reference to the Airport noise contours and instead of the wording saying "avoid encroaching on the airport hazard zone" and change to "noncompatible land use proposed within the KWIA DNL 65 dB noise contour is prohibited."

Commissioner Kolhage felt that this would probably not be approved by the BOCC since it is prohibiting use of the land, it is almost a taking of the property. Peter Horton suggests it say "prohibited or must be built in a compatible manner." Deborah said she will reword this using language from the Part 150 regulations.

Deborah explained that the other approved recommendations from the previous NCP that were not implemented are being requested to be rescinded so they are no long on the books.

Program Management Measures:

Deborah mentioned that the NCP will recommend that the Airport hire an airport noise coordinator, who would be responsible for overseeing the NIP, monitor compliance with noise abatement procedures, and the education and notification of the pilot community. Peter Horton said that this does not have to be an airport staff person, since there will be a NIP program, and the Ad Hoc committee will continue, and the annual contour update will continue, this could be an outside consultant, as the FAA may pay for it either way. Deborah explained that this will be reworded to be an either airport staff or outside consultant for this position.

Deborah explained that the NCP recommend that the Ad Hoc Committee be continued through the NIP

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She continued that the NCP will recommend that the Airport develop a brochure, Jeppeson insert and other material to assist in the pilot education program regarding noise abatement procedures at KWIA. Stewart Andrews asked if this included the App for electronic access to this information. Deborah explained that this is the Whispertrack® system that the Airport will subscribe to and goes out to all the flight planning services so pilots can get this on their tablets.

The NCP is also recommending informational boards be put into all the accessible pilot's lounges.

Deborah continues that the Airport will install lighted airfield signs to remind the pilots about the noise abatement procedures.

The NCP will also recommend the purchase of a flight tracking and noise monitoring system, which is eligible for FAA funding.

The NCP will recommend the continuation of the annual contour update to keep tabs on the validity of the avigation easement and the boundaries of the noise mitigation program.

Deborah explained that Section 11 is a summary of only the recommendations of the NCP. She asked that the Committee open to page 11-19 showing that the entire NCP mitigation will cost approximately \$25 million; the implementation plan on page 11-20 provides the timeline for the entire mitigation program.

Sonny Knowles asked if current government spending issues are a problem. Peter Horton explained that this comes from a special pot of money from Airport Improvement Program set aside.

Deborah explained that Appendix J lists every single parcel that is in the program area, and Appendix M shows the proposed implementation plan by address. Included in Phase 1 are the 4 homes that did not choose to participate the first time around but now have new owners. If they chose not to participate and still own the property, they are in Phase 8.

The Committee voted to submit the NCP with the changes discussed to the BOCC, Sonny Knowles made the motion and Kay Miller seconded the motion. The "ayes" were unanimous.

The Commissioner adjourned the meeting at 4:00 p.m.

**KWIA Ad-Hoc Committee on Noise
August 6, 2013 Meeting Minutes**

Meeting called to order by Commissioner Kolhage at 2:00 PM.

ROLL CALL:

Committee Members in Attendance:

Commissioner Danny Kolhage
Kay Miller
Marlene Durazo
Dr Julie Ann Floyd

Staff and Guests in Attendance:

Peter Horton, KWIA.
Deborah Lagos, URS Corp.
R. L. Blazevic, Resident
Ashley Monnier, NASKW

A quorum was not present.

Review and Approval of Meeting Minutes for the June 4th, 2013 Ad Hoc Committee Meetings

Deborah Lagos explained that as there is no quorum present, approval of the June 4th, 2013 minutes will be delayed until the October meeting. Deborah also asked if there were any comments at this time from those present. Kay Miller asked if comments could be emailed prior to the next meeting. Deborah indicated that emailing comments was acceptable.

Discussion of Part 150 Study Update

Noise Compatibility Program

Peter Horton explained that the NCP, the second element of the Part 150 has gone to the BOCC and was approved for submittal to the FAA. Deborah indicated that the Draft NCP has been submitted to the FAA and we are awaiting comments. Peter Horton continued that he knew it had been submitted because KWIA has received indication from the FAA that the NIP for this Part 150 will begin with Phase 1, not as a continuation of the previous NIP (Phase 8). The FAA also indicated that they may be able to fund the NIP in the upcoming fiscal year

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starting this October as opposed to the following fiscal year starting in October 2014. The FAA further indicated that the \$3.6 million of FAA money for year one has been programmed for this upcoming October (2013). This is contingent on the KWIA being able to accept this grant by July 15 of 2014.

Peter explained that this is important for the project because we are looking at a total of 337 homes with construction costs estimated at approximately \$26 million; with 206 units in Key West by the Sea (KWBTs). Peter explained that they were hoping to perform the work at KWBTs for approximately \$50k per unit.

Peter further explained that while KWBTs is in the document and included in the program recommendations, that does not mean it is approved for the NIP until full approval of the NCP comes from the FAA.

Deborah Lagos mentioned that this is a very encouraging sign from the FAA that they feel the recommendations are valid.

Kay Miller asked if the cost for KWBTs would be around \$10 million alone. Peter said just based on current information, without the design and engineering, they would expect the condos would be cheaper than single family homes due to economy of scale. Peter continued that if the cost exceeds that, the funding would still be available. Deborah Lagos explained that in the NCP, she used the \$75K per unit for both single family and multi-family residences to be on the safe side with our estimates.

Peter Horton reiterated that the funding is there, but the NCP has not been approved as of yet. Peter asked what does the Committee need to do to finish the project. Deborah Lagos explained that we are in the waiting mode currently. The NCP has been submitted to the FAA for the preliminary review and when comments are provided, we will incorporate those comments and resubmit the NCP for formal review and approval. Kay Miller asked if it needs to go back to the BOCC at that time. Deborah indicated that as long as there are no substantial changes, it will not need to be re-approved by the BOCC. If the comments are substantial, then the document will probably come back to the committee and the BOCC. Deborah continued that the only item that may be questioned would be where the boundary

KWIA Ad-Hoc Committee on Noise August 6, 2013 Meeting Minutes

lines of the program area were drawn, in particular Building A of KWBTs which is not in the contour at all.

Peter Horton explained that we made a strong case that this is a complex and we need to noise insulate the entire complex.

Kay Miller asked if we may not see a big enough differential in the noise levels inside the unit before and after the insulation. Deborah Lagos explained that we must see a 5 dB improvement and also, the inside must currently be above 45 dB.

Deborah Lagos continued that this would not affect the overall approval of the NCP, but would exclude units that do not meet this standard. Deborah explained that the NCP has proposed a testing phase initially to test representative samples of the houses and condos to indicate which units are or are not eligible for inclusion in the program. Commissioner Kolhage asked how much time would this phase require. Deborah explained that once we resubmit the NCP for final review and approval, the FAA has 180 days to review and approve. Kay Miller asked how long will the preliminary review take. Deborah mentioned that it was submitted around the beginning of July and she expects comments back the beginning of September. With a one month turn-around, URS could have it back to them and expect final approval in March or April of 2014. Peter Horton indicated that this would allow KWIA to have all the grant information in by the July 2014 deadline.

Peter Horton also explained that KWIA has this Email and can use it to expedite the review process by reminding the FAA that we don't want to wait another year now that they have programmed the grant money. Peter also explained that the FAA is in the middle of grant season right now, and that KWIA has programmed their JACIP money.

Mr. R.L. Blazevic asked what was the status of the vacant lot on 11th street. Deborah Lagos responded that the NCP recommended that the airport purchase an aviation easement on the property limiting the use to compatible land use or be built to achieve interior noise levels of 45 dB or less.

Deborah Lagos continued that the handout provided to the committee and attending public is a summary of all the recommended mitigation measures in the

KWIA Ad-Hoc Committee on Noise August 6, 2013 Meeting Minutes

NCP; including the estimated cost and proposed timeline. Deborah also explained that there are other recommendations involved in the NCP that have costs associated with them, such as the pilot education program and the hiring of an airport noise coordinator, and the committee should look at putting some of the initial grant money towards these items.

Peter Horton explained that we will have to put NIP money towards doing the contours every year, and when the NIP is ongoing there will need to be a coordinator, which was URS for the previous NIP. Peter explained that the airport may need to have an employee at the airport for this, but a lot of the cost can be covered by the grant money.

Deborah Lagos explained that other items with costs will need to be covered, like the pilot education, which is not expensive, but the costs will need to be covered. These items are important and should not be brushed aside, although not necessarily putting the noise monitoring system as a priority at this time. Peter Horton felt that most of these items would be eligible for either AIP or PFC funding. KWIA has just received their PFC allocation reports for this year and next year; KWIA expects to receive \$2.5 million this year for capital projects, and for next year, based on 2012 enplanements, KWIA should be getting \$2.9 million in AIP funds and another \$1.5 million in PFCs. Therefore, these modest expenditures can be worked through and there is FDOT money available, and there may be FDOT money for the NIP due to the size of this project. As long as enplanements continue to increase, the costs in the proposed NIP are not onerous for the airport.

Peter also mentioned that the airport has received approval to install EMAS at the other end of the runway, with construction starting this year. R.L. Blazevic asked what is the cost of the EMAS. Peter explained that it is approximately \$6 million.

R.L. Blaazevic asked who will monitor the noise as recommended by the NCP. Peter Horton explained that URS performed this task for the airport previously and that KWIA would like to continue this arrangement.

KWIA Ad-Hoc Committee on Noise August 6, 2013 Meeting Minutes

Other Reports

Noise Hotline and Contact Log

Deborah Lagos reported that there were only four calls and nothing significant to the Noise Hotline, and one call to the contact log regarding the NCP.

Airport Noise Report

Deborah Lagos asked if there were any comments on the Airport Noise Report that were of interest. Kay Miller mentioned that she did not see anything of interest this time.

Deborah mentioned the article in the first issue that discussed that there were no AIP grants in the first 8 months of the year, which was interesting. Peter Horton indicated maybe that is why there is money available at this time.

R.L. Blazevic asked if there is an increase in passengers and is that may be why there is money available. Peter Horton explained that KWIA has seen a continual growth over the last few years at levels that are probably higher than expected and while not continuing at the current pace, he expects KWIA passenger levels to continue to increase in the foreseeable future.

Peter Horton explained that the arrival area construction and expansion is almost complete, and will increase capacity in the arrival area. Peter continues that the next expansion in the five year plan is to move the rental cars across the street to allow more space for arriving passengers.

Deborah Lagos mentioned an article on page 36 discussing a legal case which indicated that noise complaints, if substantiated by names and dates, can be used for enacting aircraft noise restriction. Deborah also mentioned an article also on page 36 discussing the final rule banning stage 1 and 2 jets under 75,000 pounds.

Any Other Discussion

By-Laws

**KWIA Ad-Hoc Committee on Noise
August 6, 2013 Meeting Minutes**

Deborah Lagos indicated that Monroe County was suggesting that this committee should have a set of By-Laws in place. Commissioner Kolhage and Peter Horton indicated that this may not be necessary. Deborah continued that the County has sent URS copies of by-laws from other Monroe County committees to use as a go-by. Commissioner Kolhage asked that the committee allow himself and Peter Horton to look into this subject further before proceeding. Peter explained that this committee has been operating for 15 years without by-laws and would like to continue.

Kay Miller moved to adjourn the meeting
The Commissioner adjourned the meeting at 2:40 p.m.

PART 150 PROCESS

NOISE EXPOSURE MAPS

Existing Noise Exposure Map



Future Noise Exposure Map



Public Review

Noise Exposure Maps Report



FAA Review / Comments

FAA Notice of Noise Exposure Map Conformance

NOISE COMPATIBILITY PROGRAM

Operational Noise Abatement Alternatives



Land Use Noise Mitigation Alternatives



Public Review

Program Management Alternatives



**Implementation Plan / Noise Benefit Analysis /
Cost Estimate / Roles & Responsibilities**



Preliminary Noise Compatibility Program Report



FAA Review

Final Noise Compatibility Program Report



Public Hearing



FAA Review - 180 Days

FAA Record of Approval



The Role of the FAA in the Part 150 Process:

Noise Exposure Maps

- Indicates whether they are in compliance with applicable requirements,
- Publishes notice of compliance in the Federal Register, including where and when the maps and related documentation are available for public inspection.

Noise Compatibility Program

The FAA conducts an evaluation of each of the measures (operational, land use, and program management) included in the noise compatibility program and, based on that evaluation, either approves or disapproves each of the measures in the program. The evaluation includes consideration of proposed measures to determine whether they—

- May create an undue burden on interstate or foreign commerce (including unjust discrimination);
- Are reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses;
- Include the use of new or modified flight procedures to control the operation of aircraft for purposes of noise control, or affect flight procedures in any way;
- The evaluation may also include an evaluation of those proposed measures to determine whether they may adversely affect the exercise of the authority and responsibilities of the Administrator under the Federal Aviation Act of 1958, as amended.

The Administrator approves programs under this part, if –

- Program measures to be implemented would not create an undue burden on interstate or foreign commerce and are reasonable consistent with achieving the goals of reducing existing noncompatible land uses around the airport and of preventing the introduction of additional noncompatible land uses;
- The program provides for revision if made necessary by the revision of the noise map;
- Those aspects of programs relating to the use of flight procedures for noise control can be implemented within the period covered by the program and WITHOUT –
 - Reducing the level of aviation safety provided;
 - Derogating the requisite level of protection for aircraft, their occupants, and persons and property on the ground
 - Adversely affecting the efficient use and management of the Navigable Airspace and Air Traffic Control Systems; or
 - Adversely affecting any other powers and responsibilities of the Administrator prescribed by law or any other program, standard, or requirement established in accordance with law.

Source: .Title 14 cfr part 150.

**Key West International Airport
Noise Hotline Log**

Date of call	Time of call	Caller	Contact information	Date rec'd	Message
7/27/2013	8:13 AM	Patrick Murphy	KWBTS #218, 610-304-8946	8/5/2013	Hang up
7/27/2013	0.3423611	Patrick Murphy	KWBTS #218, 610-304-8946	8/5/2013	I'm calling regarding the planes that have been flying over my property. Actually, one just a little while ago, a continental, went really close to the corner of our building and yesterday we had quite a few flyovers with Southwest. I thought in February when we last spoke that you told me that it only had to do with the wind direction and that none of this would be happening. There are two things, there's a safety issue and there's also the issue of the noise. I'd like to be contacted and see if we can address this issue. I think the other people in our place have given up hope but quite frankly I didn't spend all this money to sit here and have planes fly over my property. I'd like to know who, where, what and how someone gave permission for this to start happening.
7/27/2013	0.3423611	Patrick Murphy	KWBTS #218, 610-304-8946	8/5/2013	A plane just took off from the airport it was a Southwest airplane creating an ungody amount of noise and I just don't know what to do about this. When I moved here everything was going away from us it was going East and now seems as though you're sending them apparently West. I want to know how this changed.
9/2/2013	1:33pm	Marlene Durazo	KWBTS #210C, 296-2094	9/6/2013	A jet came screaming in very loud and too close to KWBTS.
9/13/2013	8:00 AM	Marlene Durazo	KWBTS #210C, 296-2094	9/18/2013	A loud booming run-up and takeoff for a prolonged amount of time. Very loud.
10/2/2013	1:39pm	Michael Vernon	KWBTS #B510, 305-292-2292	10/16/2013	A jet took off, I couldn't get the tail number of course, but it was white. Probably one of the loudest jets I've heard near the airport. It was extremely noisy and I just wanted to make a complaint. It was a small jet, it wasn't a large jet. The 737's can take off quietly or with less noise that that. I don't understand.
2/16/2014	1:57pm				hang up
2/16/2014	2:00pm	Jeremy Hall	KWBTS 305-433-2077	2/28/2014	I wanted to make a comment about an exceptionally noisy jet that just took off at 1:53pm it was a white private jet. It flew straight out without turning left or right and it was trailing a soot exhaust. Just probably the noisiest I've ever heard.

**Key West International Airport
Noise Hotline Log**

Date of call	Time of call	Caller	Contact information	Date rec'd	Message
2/27/2014	2:20pm				hang up I tried to call the airport on Saturday morning to no avail. On Saturday morning between 8 and 8:30am a little yellow helicopter that said tourhelicopter.com was flying repeatedly and continuously over The Meadows and Peary Ct and the Garrison Bight and just making a hell of a racket. I mean come on. It was at about 400' or so. It was a nice quiet Saturday morning. I just wander what the legality of that is, never mind the inconsideration. I did in fact look up tourhelicopter.com and got a phone number and called and spoke to a gentleman there who would only give me his first name, Tom. He seemed nice enough but he only said it was not his intention to disturb. I'm just curious to allow this to go on. he said he was doing photography trip for developers. Perhaps the White St Partners or the Peary Ct development or something, I don't know. It just seems like an inconsiderate, intrusive thing for somebody to do or even be able to do and I would appreciate a follow up.
3/4/2014	3:13pm	Lee Dunn	The Meadows 701 Florida St.305-292-9844	3/10/2014	

Key West International Airport Contact Log

Date of call	Caller	Contact information	Subject	Response
9/10/2013	Shane Halvorson	East end of Legler Ave	<p>I live on the east end of Flagler Avenue. Very rarely do the large commercial airliners fly over our home, but we are directly under the flight path for smaller planes and helicopters. The helicopters in particular create quite a noise, as they fly so low, and with some being emergency transport, they fly at all hours.</p> <p>Could you tell me what is the current plan for the noise reduction program? Is there something I should do, or someone else I should contact, to be considered for the program?</p>	DTB responded with a copy of the noise contour indicated his address in relation to the Program Area. Also added Mr. Halvorson to the AD Hoc Email list
2/25/2014	Pete Petro	305-240-0983	I was enquiring about the noise abatement program I own a property over on Flagler or rather I manage a property on Flagler and the owner wanted me to follow up on that.	DTB Responded that property was originally in the program and owner refused to participate. Property is in the new proposed program area.

Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 23

July 26, 2013

Helicopter

ON HEELS OF COURT RULING, SCHUMER SEEKS FURTHER HELICOPTER ROUTE RESTRICTIONS

Just 12 days after a federal appeals court upheld the Federal Aviation Administration's mandatory helicopter route off the North Shore of Long Island to reduce noise impact on communities, NY Sen. Charles Schumer (D) and Rep. Tim Bishop (D-NY) asked the Secretary of Transportation and FAA Administrator to impose a similar route off the South Shore.

"Now that it's clear that the FAA has the authority to protect Long Islanders from the incessant and often deafening drone of low-flying helicopters, the FAA should move forward with over-the-water routes for the South Shore of Long Island and as well past the North Fork," said Schumer.

"The court's ruling clears the way for new, stronger efforts to protect the residents of Eastern Long Island from helicopter noise," said Congressman Bishop.

Last year, Schumer successfully pushed DOT to finalize and publish regulations that mandate over-water routes for helicopters flying off the North Shore of Long Island.

The Helicopter Association International challenged that restriction but the U.S. *(Continued on p. 91)*

PANYNJ

NY SENATORS, REPS WANT AIRPORT ADVISORY COMMITTEE FOR NYC METROPOLITAN AREA

New York Sens. Charles Schumer (D) and Kirsten Gillibrand (D) and ten congressional representatives of districts in the New York City area are urging the Port Authority of New York and New Jersey to establish an airport advisory committee to address ongoing and future concerns that residents have about noise and other airport issues that negatively affect their quality of life.

In a July 23 letter to PANYNJ Executive Director Patrick Foye, the lawmakers noted that airport advisory committees have been created across the country in areas such as Los Angeles, San Francisco, Chicago, Louisville, Atlanta, Boston and Philadelphia.

"It is simple common sense to say that the largest metropolitan area in the country should have an airport advisory committee like the one we are proposing, a body that would help increase quality of life for locals," said Sen. Schumer.

"With the creation of this committee, those affected by airplane noise can provide a more united front to their elected officials, the aviation community and the FAA."

Presently, no formal forum exists for residents of the NY City region to express *(Continued on p. 93)*

In This Issue...

Helicopters ... Now that a federal appeals court has blessed a mandatory noise abatement route off the North Shore of L.I., Senator Schumer wants a restriction off the South Shore - p. 90

PANYNJ ... NY pols want airport advisory committee for NY metro area - p. 90

NextGen ... FAA Administrator defends agency progress implementing Next-Gen at House Aviation Subcommittee hearing - p. 91

Oakland Int'l ... Winners of 2012 Fly Quiet Program awards honored - p. 92

Technology ... New B&K product gives communities information about long-term noise impacts - p. 92

Heathrow ... Airport officials propose three options for adding a third runway; contend number of people impacted by noise will drop with new runway but London mayor, environmental group skeptical - p. 92

Helicopter, from p. 90

Court of Appeals for the District of Columbia Circuit ruled on July 12 that FAA does have authority to alter air traffic routes and impose mandatory helicopter routes for the sole purpose of reducing the impact of aircraft noise on residential communities (25 ANR 86).

“We believe it is imperative to pursue additional rule-makings that would extend the over water North Shore route to all of Nassau County; establish a South Shore water route; require helicopter operators following the North Shore route but landing at South Fork airports to fly completely around Orient Point and Shelter Island; and significantly prohibit helicopter operators’ ability to ignore these noise-mitigation routes by utilizing other over-Island pathways like the so called ‘track route’ across the middle of Nassau and Suffolk,” Sen. Schumer and Rep. Bishop wrote in a July 24 letter to Secretary of Transportation Anthony Foxx and FAA Administrator Michael Huerta.

They asked that the regulatory action begin immediately and that FAA provide “an update shortly after Labor Day on the data the FAA has collected since the implementation of the North Shore rule last September. It is important that we continue to have your technical experts monitor the efficacy of the rule and use the data to understand whether the FAA needs to increase its enforcement capabilities.”

NextGen**HUERTA DEFENDS PROGRESS IN IMPLEMENTING NEXTGEN**

FAA Administrator Michael Huerta defended his agency’s progress in implementing the NextGen satellite-based air navigation system but told the House Aviation Subcommittee that funding uncertainty brought about by sequestration poses a significant challenge to NextGen implementation.

“The sequester and future funding unpredictability requires the FAA to make sizeable budget cuts that affect our operations and our future,” Huerta said in testimony to the Subcommittee at a July 17 hearing.

But Administrator Huerta insisted, “We are delivering NextGen on time and on target.”

FAA is projecting that NextGen will reduce overall airspace delays by 41 percent by 2020, “compared with what would have happened if we did not implement any NextGen improvements,” he told the Subcommittee.

“These delays reductions will provide an estimated \$38 billion in cumulative benefits through 2020. We estimate 16 million metric tons in cumulative reductions of carbon dioxide emissions through 2020, and 1.6 billion gallons in cumulative reductions of fuel use,” Huerta told the Subcommittee.

House Aviation Subcommittee Chairman Frank LoBiondo (R-NJ) convened the hearing to focus on factors that he said are causing delays in the implementation of NextGen.

Only two witnesses were called before the Subcommittee: Huerta and U.S. Department of Transportation Inspector General Calvin Scovel, who asserted that FAA has made little progress in moving from planning to implementation of NextGen and delivering benefits to airspace users.

IG Details Problems with Implementation

“FAA’s difficulties in advancing NextGen and transforming the National Airspace System (NAS) stem from a number of underlying causes, including the lack of an executable plan and unresolved critical design decisions,” the DOT Inspector General told the Aviation Subcommittee in written testimony.

“For example, FAA’s initial plans for NextGen did not address implementation costs or how technologies would be developed or integrated. Also key to NextGen’s success is integrating new performance-based navigation (PBN) routes and procedures at key airports in order to maximize near-term benefits and gain user support. Yet, FAA’s lengthy procedure development process has delayed the implementation of new routes, and unresolved obstacles, such as the lack of updated controller policies and procedures, make it uncertain when airspace users can expect widespread benefits.

“Advancing NextGen also depends on successfully deploying new automation systems that controllers use to manage air traffic. However, FAA continues to face technical, cost, and schedule risks with its efforts to modernize or replace automation systems at terminal facilities because the Agency has not identified and finalized all needed software and hardware requirements.

The DOT Inspector General told the House Aviation Subcommittee that, although FAA has implemented over 100 RNP procedures to date at large airports, the benefits of those procedures remain unrealized because air carriers and airports are not widely using them.

His analysis of preliminary data compiled by MITRE shows that RNP use is high at some small- to medium-sized airports, such as Oakland International, but overall RNP use is low, particularly at busy airports, such as those in the New York City area.

At the six large airports where FAA has implemented advanced PBN procedures (Reagan National, Dulles International, Chicago Midway International, LaGuardia International, Newark Liberty International, and JFK International) only about 3 percent of eligible airline flights actually use them, Scovel said.

“Several obstacles have undermined FAA’s efforts to increase use of PBN procedures,” he told the Subcommittee. These include (1) lack of controller tools to manage mixed operations – merging aircraft using straight-in approaches with those on curved paths – at busy metroplex locations; (2) the lack of clear procedure design objectives; (3) outdated controller procedures; and (4) the lack of standard training for pilots and controllers.

FAA is addressing an action plan to address these obstacles but it unclear when it will be issued, he told the Subcommittee.

Oakland Int'l

AIRPORT HONORS WINNERS OF 2012 FLY QUIET AWARDS

Five aviation companies received Fly Quiet Awards for achieving outstanding compliance with Oakland International Airport's Fly Quiet Noise Abatement Program for calendar year 2012.

The winners of the Fly Quiet Awards were recognized by the OAK Airport – Community Noise Management Forum at an awards banquet held July 17.

The Forum created the Fly Quiet Program to recognize those operators who comply with all noise abatement policies and procedures and achieve the highest level of compliance.

“We are proud of this year's award recipients,” said Michael McClintock, OAK Noise Forum Facilitator. “The Fly Quiet Program encourages aviation businesses to be responsible neighbors.”

The Fly Quiet award winners for 2012 are:

- Airline Award – Southwest Airlines, the dominant air carrier serving OAK has been an active participant in the Port's aircraft noise abatement activities for many years.
- Commercial Business Jet Award – NetJets Aviation, the worldwide leader in private aviation with the largest and most diverse private jet fleet in the world.
- Private Business Jet Award – Chevron Corporation.
- North Field Cargo/Charter Award – West Air Inc.
- General Aviation Award – Oakland Flyers, a flying club and training facility.

Technology

NEW B&K PRODUCT SHOWS LONG-TERM IMPACT OF NOISE

On July 24, Brüel & Kjær announced the launch of WebTrak MyNeighbourhood, which is described as “a new feature rich website that ties into your airport noise monitoring system to give the community answers about long-term noise impacts.”

“We've been really pleased with the success of WebTrak which is now operational at over 50 airports. Now WebTrak MyNeighbourhood takes airport community noise engagement up another level. We've spent a lot of time focusing on ease of use and presentation that communicates longer term noise impacts effectively,” said Matthew Barry, Product Manager for Airports at Brüel & Kjær.

“Because the metrics are calculated from data in the airport noise monitoring system, it presents information the community can trust and believe.”

WebTrak MyNeighbourhood works in conjunction with an airport's ANOMS airport noise monitoring system. It is delivered as a subscription based web service that operates automatically, requiring no day-to-day operation from the air-

port once set up.

Using WebTrak MyNeighbourhood, the public is able to understand current operations and explore how these have changed over time, B&K explained. MyNeighbourhood is driven directly from the ANOMS system and so it presents accurate data that is always consistent with other published data.

“WebTrak MyNeighbourhood allows an airport to engage the public with accurate information about airport operations without the need to show individual flight tracks.”

For further information, go to <http://www.bksv.com/Products/EnvironmentManagementSolutions/AirportEnvironmentManagement.aspx> (Click on “My Neighbourhood”).

UK

AIRPORT PROPOSES 3 OPTIONS FOR NEW RUNWAY AT HEATHROW

On July 17, Heathrow Airport officials proposed to the UK Airports Commission that a new runway be added at Heathrow to solve the lack of hub airport capacity in the UK rather than building a new greenfield airport outside of London, which is being considered.

They offered three options for a third – and, if needed in the future, fourth – Heathrow runway: to the north, northwest, or southwest of the existing airport.

Each runway option would raise the capacity at Heathrow to 740,000 flights a year (from the current limit of 480,000), which would allow the UK to compete with international rivals and provide capacity at the UK's hub airport for the foreseeable future, Heathrow said.

All three options were said to be quicker and cheaper than any rival hub option and could deliver extra capacity by 2025-2029.

Each option has its particular benefits, but Heathrow believes the two westerly options offer clear advantages. They deliver a full-length third runway while minimizing the impact on the local community from noise and compulsory house purchases, the airport said.

“The northwest option performs better on noise and residential property impact than the north option whilst costing slightly more and taking slightly longer to build. The southwest option further improves the situation for local residents but increases the cost, timescale and construction complexity. The north option is the quickest and cheapest, but offers the least noise benefits and has the biggest residential property impact.”

“Despite the increase in capacity, the total number of people affected by noise from aircraft will fall, Heathrow said. This is due in part to the westerly options being positioned further from London than the existing runways. Each mile the runway is moved to the west puts arriving aircraft approximately 300 ft. higher over London. Continued improvements in aircraft and air traffic technology will also result in fewer

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people being disturbed. As a result, even with a third runway there will be 10-20 percent fewer people within Heathrow's noise footprint in 2030 than today."

London Mayor Boris Johnson said the airport's proposal to add a new runway at Heathrow was politically, environmentally, and socially unacceptable.

"There will be more pigs flying than aircraft, if we are to believe the claim that three runways at Heathrow will make less noise than two," he reportedly said.

The mayor advocates building a new hub airport for London at a greenfield site and a major expansion of Stansted Airport near London.

The Aviation Environment Federation (AEF), the principal UK environmental association concerned with the environmental effects of aviation, said that the case for adding a third runway at Heathrow "rests on a series of half truths and promises not backed by evidence."

"On noise, Heathrow's proposals suggest that the number of people affected will fall over time, even with a new runway. But their analysis is based on the number of people in the 57 Leq noise contour, a measure that has been widely discredited as a marker of the point at which community annoyance sets in. Even with two runways, Heathrow scores worst of any UK airport under a range of noise metrics being considered by the Airports Commission, and more people are affected by noise from Heathrow than from any other European airport.

PANYNJ, from p. 90

how they are impacted by flight patterns, construction, times and frequency of arrivals and departures, new runway configurations, and other airport matters, the NY lawmakers told Foye.

They asserted that the establishment of a formal forum would give elected officials, the aviation community, and the Federal Aviation Administration an understanding of the concerns affecting area residents, and allow all stakeholders to work together to reach agreeable solutions.

The lawmakers sent their correspondence in the wake of new flight patterns into and out of LaGuardia Airport that have increased airplane noise for people living in northeast Queens.

The letter also was signed by NY Reps. Joseph Crowley (D-Queens/Bronx), Eliot Engel (D-Bronx/Westchester), Steve Israel (D-Queens/L.I.), Grace Meng (D-Queens), Jerrold Nadler (D-Manhattan/Brooklyn), Hakeem Jeffries (D-Brooklyn/Queens), Carolyn Maloney (D-Manhattan/Queens), Carolyn McCarthy (D-L.I.), Gregory Meeks (D-Queens/Nassau) and Jose Serrano (D-Bronx).

AIRPORT NOISE REPORT

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Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 24

August 2, 2013

Ft. Lauderdale-Hollywood Int'l

DANIA BEACH LOSES LAWSUIT CHALLENGING WETLANDS PERMIT FOR RUNWAY EXTENSION

The City of Dania Beach, FL, lost another lawsuit in its battle to block expansion of the south runway at Ft. Lauderdale-Hollywood International Airport, which is being done to increase capacity but also will increase noise impact on residents of the city.

On July 22, a U.S. district court judge dismissed the city's lawsuit against the U.S. Army Corps of Engineers ruling that the Corps did not violate the National Environmental Policy Act (NEPA) in issuing a permit that allowed Broward County, FL, to fill wetlands in order to expand the south runway.

The city contended that the Corps issued the permit without considering the impact of increased noise levels on the health of residents and that NEPA does not allow the Corps to ignore recent health effects studies done in Europe that show a relationship between exposure to high noise levels from aircraft and other transportation sources and cardiovascular disease, high blood pressure, and poorer cognition in children.

(Continued on p. 95)

Part 161

LAWA SUBMITS SLEEP AWAKENING CONTOUR REQUESTED TO COMPLETE 161 APPLICATION

On June 28, Los Angeles World Airports submitted to the Federal Aviation Administration additional data on sleep awakenings that FAA said was needed to complete LAWA's Part 161 application supporting a mandatory nighttime departure restriction at Los Angeles International Airport.

In March, FAA told LAWA that its Part 161 application was incomplete because the primary problem asserted in the application – sleep awakenings that extend beyond the 65 CNEL contour – falls outside the airport noise study area selected by LAWA, which ended at the 65 CNEL contour line (25 ANR 70).

The mandatory nighttime restriction LAWA seeks to impose through FAA's Part 161 Regulations on Notice and Approval of Airport Noise and Access Restrictions process is intended to stop pilots of heavily loaded aircraft from making easterly departures at night over neighborhoods near LAX where they disturb sleep and provoke complaints.

"If LAWA intends to retain its definition of the problem as nighttime sleep awakenings extending to geographic areas beyond the CNEL 65 dB, then LAWA must select a noise contour that encompasses those sleep awakenings as well as the

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The lawsuit also cites a 2011 World Health Organization (WHO) report, “Burden of disease from environmental noise: Quantification of healthy life years lost in Europe,” which concluded that there is “overwhelming evidence that exposure to environmental noise has adverse effects on the health of the population.”

But, U.S. District Court Judge James I. Cohn of the Southern District of Florida, ruled that “the Corps, as a mere coordinating agency on this airport expansion project, was required to defer to the FAA regarding all matters of ‘aviation expertise’ which includes impacts to residents from increased aviation noise.”

Dania officials have not yet decided if they will appeal the ruling in *City of Dania Beach, FL, v. U.S. Army Corps of Engineers* (Case No. 12-60989-CIV-COHN/OTAZO-REYES).

Dania earlier challenged the FAA’s approval of the south runway extension project at Ft. Lauderdale International. However, in December 2010, the U.S. Court of Appeals for the District of Columbia Circuit upheld the FAA’s approval of the project, finding that there was nothing arbitrary or capricious in the agency’s determination that extending the runway to the north – as Dania had sought – was not a prudent alternative.

Trial Date Set in Other City Lawsuit

A trial date of Dec. 9 has been set in yet another lawsuit the City of Dania Beach filed in May 2012 in Broward County Circuit Court pertaining to the runway extension.

In that case, the city asked the court to make Broward County abide by the terms of a 1996 Final Stipulated Judgment under which the County agreed to operational restrictions (limits on night flights, the size of aircraft, and the direction of takeoffs and landings) and the city agreed to drop its litigation in state court challenging the airport’s expansion. The operational restrictions were part of a 1995 Interlocal Agreement between the County and City that was part of the 1996 Final Judgment.

The County also agreed in that Final Judgment that it would not proceed with construction of the south runway extension unless FAA approved the operational restrictions on it. FAA has not done that even though the County has proceeded with the runway extension.

Santa Monica Airport

WAXMAN WANTS FAA TO BE PART OF FORUM ON AIRPORT’S FUTURE

California Congressman Henry Waxman (D) wrote Federal Aviation Administrator Michael Huerta July 16 asking that the FAA participate in a forum in Santa Monica with local residents and city officials to discuss options for the fu-

ture of Santa Monica Airport.

The airport, one of the oldest and busiest general aviation airports in the country, is currently operating under the Santa Monica Airport Agreement, a legal settlement with the FAA that was established in 1984 and will expire in 2015.

Under the agreement, “the city must operate and maintain the airport as a viable functioning facility without derogation of its role as a general aviation reliever airport...or its capacity in terms of runway length and width, taxiway system, and runway weight bearing strength until July 1, 2015.” In return, the city prohibits the takeoff of aircraft between the hours of 11 p.m. to 7 a.m. on weekdays and from 11 p.m. until 8 a.m. on Saturday and Sunday. Single event noise exposure levels are capped at 95 dB.

“The Santa Monica Airport is just feet from many homes in Santa Monica. For years, residents have had to live with safety, noise, and pollution issues at the airport,” said Rep. Waxman.

“I share the concerns of the residents living around the airport and have been fighting for improvements for many years. The operating agreement with the FAA is due to expire in 2015, and the future of the airport is at a critical juncture. It’s time to start having frank conversation with the FAA about SMO post-2015. I am asking the FAA to participate in a forum to hear from local residents and the City about their priorities for the airport.”

Since December 2010, the City of Santa Monica has been involved in a “visioning” process to engage the public and airport stakeholders in an in-depth, public discussion of the various options for the airport’s future.

In the past, such discussions have been limited to the options of either closing the airport or continuing its operation as is. The “visioning” process, however, is designed to explore options for the airport’s future in between these two extremes so that the City can avoid the long and costly legal battle that would ensue if it moved to close the airport.

City staff is trying to determine if it is possible to reach a voluntary agreement with FAA and airport stakeholders that will govern the airport’s future.

At this point, the City and FAA still disagree on when federal grant agreements will expire. Santa Monica believes they will expire in 2014 but the FAA says the last grant agreement does not expire until 2023.

There also is a question of whether post-World War II transfers of airport land from the federal government to the City require the airport to be operated into perpetuity. And how much of the airport land the transfer applies to.

Airport Commissioner David Goddard recently told the Santa Monica City Council that the 1948 Instrument for the airport land transfer to the City covers only about 3,000 feet of the 5,000-foot runway, which could allow the City to shorten the runway by 2,000 ft., thus achieving its long-sought goal of keeping out larger, faster business jets.

If FAA believes that the City has the legal authority to do that, it could give Santa Monica significant leverage to get the FAA and airport users to agree to stringent noise and op-

erational restrictions as a condition of not reducing the runway length.

Santa Monica residents have made clear in the visioning process that they want the airport to be operated “in a manner consistent with the City’s core values of environmental stewardship and sustainability,” City Attorney Marsha Moutrie Jones and Public Works Director Martin Pastucha told the City Council last year in an update on the visioning process.

Awards

U.VA. STUDENTS WIN FAA DESIGN COMPETITION FOR GREENER RJ

A 16-member undergraduate student team from the University of Virginia’s School of Engineering and Applied Science has won a Federal Aviation Administration design competition, the university announced in July 16.

The team’s design, “The Sustinere: A Turboelectric Distributed Propulsion Regional Jet for 2025,” took first place in the Electric/Hybrid-Electric Aircraft Technology Challenge, tying with a team of graduate students from the Georgia Institute of Technology.

The U.Va. team members included Matthew Abelmann, Sohail Ahmad, Thomas Arnot, Clifton Bumgardner, Brian Connolly, Daniel Flowers, Stefan Ha, Jane Hawkins, Aaron Lam, Frederick Lothers, Stephen Moore, Chris Reuter, T. Brandon Smith, Sean Thompson, Kha Tran and Jodi Yim.

“The students designed a regional aircraft, carrying 50 passengers at Mach 0.72 for 500 miles and to be in service by 2025,” said James McDaniel, a professor in the Department of Mechanical and Aerospace Engineering and mentor to the team. “The goals of the design were to reduce emissions, noise and fuel burn relative to today’s regional aircraft.

“The most innovative part of their design was the propulsion system, which used turboelectric generators under the wings, with cryogenically cooled electric transmission lines, to banks of thrust-producing fans mounted on the aft of the fuselage.”

The students received their prize July 17 at the FAA headquarters in Washington, D.C., and presented their design at an Airport Consultants Council and Transportation Security Administration summer workshop series in Arlington, VA, on July 18. They may also present their design at the Continuous Lower Energy, Emissions and Noise Consortium meeting in November.

“The design was well-written with outstanding supporting information and an excellent open-minded methodology that resulted in an original approach to hybrid electric propulsion for a regional aircraft,” said Lourdes Maurice, executive director of the Office of Environment and Energy at the FAA.

McDaniel, who will attend the awards ceremony with some of the students, said the judges were impressed by the skills of the U.Va. students.

“What really impressed the reviewers is that the Georgia

Tech team was a graduate student team, with three well-known aircraft designers as instructors, whereas my class was composed of all undergraduate students and I was the sole instructor,” McDaniel said.

“We are a small program, but have excellent students and a strong curriculum,” McDaniel said. “This recognition will help to recruit the best students to our aerospace program.”

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CNEL 65 dB and higher noise contours,” FAA told LAWA.

So LAWA submitted to FAA what it dubbed the Noise-Induced Awakenings Change (NIAC) contour. It is described as an area beyond the traditionally recognized Airport Noise Study Area that directly applies to changes in sleep awakenings.

The NIAC contour encompasses the outermost boundary of the entire set of population centroids experiencing changed awakenings in 2013 (the year the Part 161 restriction would be imposed) and in 2018 (five years following implementation of the restriction), plus a 3,500-foot buffer at the limits.

While LAWA submitted that additional noise contour data that FAA requested, LAWA Airport Environmental Manager Scott Tatro told the FAA in his letter, “LAWA respectfully suggests that its original Part 161 Application was filed in accordance with the provisions of the FAA’s [Part 161] regulations and is complete.”

“LAWA acknowledges that the justification for the proposed nighttime runway use restriction at LAX is unique because it relies upon nighttime awakenings rather than on traditional CNEL contour analysis and land use compatibility criteria. This, however, does not render the Application incomplete under Part 161,” Tatro wrote.

“Whether the FAA will accept LAWA’s analysis of nighttime awakenings as an adequate justification for the proposed restriction, as LAWA believes the FAA should, is a separate and distinct issue” from whether the application is complete, he added.

It is unclear at this point whether the submission of the new NIAC contour data is sufficient for FAA to declare LAWA’s Part 161 application complete.

If FAA does deem the application to be complete, the agency has 150 days to respond to it.

Complaints

COMPLAINT RULING COULD BE BOON FOR PLANENOISE FIRM

The D.C. Court of Appeals’ recent ruling in *Helicopter Association International v. FAA* was bad news for the helicopter industry but could be a boon to PlaneNoise, the Port Jefferson, NY-based firm launched in 2011 to manage aircraft noise complaint data for airports and others.

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The federal Appeals Court said July 12 that noise complaints – if substantiated by names and dates – can be used by the FAA instead of noise levels as the basis for enacting aircraft noise restrictions (25 ANR 86).

The ruling – which upheld FAA’s imposition of a mandatory, over-ocean noise abatement route one mile off the North Shore of Long Island – is thought to be the first ever affirming that noise complaints can be used as the basis for FAA noise regulations. It is likely to be cited in the future by airports, local governments, and community groups seeking the imposition of aircraft noise restrictions.

“A major precedent coming out of this decision is that noise complaints can now be used as the primary basis for the FAA’s establishment of new air traffic regulations to control and address community quality of life issues, especially those outside an airport’s 65 DNL contour. This is not just a helicopter ruling,” Robert Grotell, founder of PlaneNoise, stressed in July 29 message to airports.

The message continues:

“It’s now more important than ever that your complaint data be in a readily usable format to foster objective noise discussions with community groups, individual residents, operators, FAA, elected officials and other stakeholders.

“PlaneNoise Complaint Box is the affordable, web-based aircraft noise complaint management solution that simplifies and standardizes your entire complaint handling process from collection to GIS mapping to detailed reporting with our innovative, automated tools.

“With just a quick glance at your Complaint Box Dashboard you’ll know where your noise complaints are being generated, how often and by whom. Whether using Complaint Box in-house or as an outsourcing solution, you’ll always have complete access to your complaint data.

“Join our growing list of Complaint Box airports and users:

- John F. Kennedy International (JFK)
- LaGuardia (LGA)
- Newark Liberty International (EWR)
- Teterboro (TEB)
- Stewart International (SWF)
- Naples Municipal (APF)
- East Hampton (HTO)
- Eastern Region Helicopter Council.”

For further information on Complaint Box, contact Grotell at tel: (613) 938-1116 or go to www.planenoise.com.

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 25

August 9, 2013

ACRP

ACRP 2014 RESEARCH PROGRAM UNVEILED; AIRCRAFT NOISE, NEXT-GEN ADDRESSED

The Airport Cooperative Research Program's Fiscal Year 2014 Research Program, unveiled on Aug. 1, includes 28 projects, six of which focus on aircraft noise and another four address Next-Gen issues that have implications for noise impact.

Three of the noise projects focus on current hot topics: helicopter noise, noise level reduction test methods for airport residential sound insulation programs, and electrified aircraft taxi operations. Another noise project is a follow-on to an earlier ACRP project on the effects of aircraft noise on student learning. And two noise projects seek to improve noise modeling capabilities related to aircraft climb and descent profiles and hard and soft ground sound absorption.

The Next-Gen projects will develop a primer on NextGen for airport operators, a model for engaging communities in airspace procedure development, strategies for incorporating NextGen elements into airport planning and policy, and guidance on how airports can engage with stakeholders on Performance Based Navigation (PBN) deployment.

TRB's announcements on the 2014 ACRP Research Program and how to participate on panels that will guide individual research projects are available at <http://www.trb.org/ACRP/ACRP.aspx>

Detailed project statements (requests for proposals) formally soliciting research proposals for the 2014 ACRP projects are expected to be released beginning in November.

Following are descriptions of the 2014 ACRP Research Program projects pertaining to aviation noise and NextGen:

Project 02-47: Assessing Aircraft Noise Conditions Affecting Student Learning – Case Studies (\$600,000 allocation)

The objectives of this research are to (1) develop a case study design for classroom observations to identify the most appropriate metric and criteria for determining the effect of aircraft noise on classroom learning, (2) conduct a pilot case study, and (3) integrate results with previous ACRP research on the topic. The research should differentiate between aircraft noise impacts and those related to other types of classroom noise.

There is evidence that chronic exposure to noise is associated with reading deficits in children, and community concerns over the effects of noise on children's learning often present potential challenges to airport expansion.

Decisions to proceed with public school insulation projects are often based on a criterion of Day-Night Average Sound Level (DNL) 65dB in order to mitigate these effects; however, to date there are no data to determine whether this criterion is appropriate for identifying aircraft noise impacts on schools. In 2010, ACRP

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In This Issue...

ACRP ... The Transportation Research Board announces the 2014 research agenda for its Airport Cooperative Research Program.

It includes projects that focus on helicopter noise assessment, noise level reduction test methods for airport residential sound insulation programs, the environmental benefits of electric aircraft taxi operations, and improvements in modeling of aircraft climb and descent profiles and modeling of sound absorption on hard and soft ground.

The 2014 ACRP Research Program also includes projects critical to the successful deployment of NextGen: development of a primer on NextGen for airport operators, design of a new and expanded model for engaging communities in airspace procedure development, development of strategies for incorporating NextGen elements into airport planning and policy, and preparation of guidance on how airports can engage with stakeholders on PBN deployment - p. 98

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began research to assess whether the DNL 65dB criterion is appropriate for identifying noise impacts on schools. ACRP Project 02-26 is a nationwide macro-analysis of the relationship between noise exposure and student performance taking into account the effect of school sound insulation and other confounding factors.

The ACRP Project 02-26 research relies on student test scores as a measure of performance. The research does not examine the effects of aircraft noise on student/teacher interactions.

Classroom observations are needed to determine at what level noise events cause interruptions and how student and teacher communication and behavior are affected by aircraft noise. Such observations would enable a more refined approach to developing the most appropriate metric and criteria for determining the effect of aircraft noise on classroom learning.

Project 02-48: Assessing Annoyance of Helicopter Noise Compared with Jet Aircraft Noise
(\$700,000 allocation)

The objective of this research is to develop and implement an approach to relate surveyed helicopter noise annoyance to modeled helicopter noise.

Helicopter use has become more popular for commuting, law enforcement, medical response, and information gathering. These uses tend to take helicopter operations away from airport areas and over predominantly residential areas. Airports, hospitals, and government officials receive complaints about helicopter noise and are asked to control their operations.

Helicopter noise is currently evaluated with the same land use compatibility guidelines used for other aircraft noise, with sound exposure levels at or above 65dB Day-Night Average Sound Level (DNL) judged as a significant impact. However, DNL values produced by helicopters are usually well below this level, even for relatively high levels of helicopter activity.

ACRP research is already underway to update the noise dose-annoyance response relationship for jet aircraft operations (e.g., ACRP Project 02-35). However, the noise characteristics of fixed-wing aircraft and helicopters are very different: frequency content, altitudes and speeds flown, corridors used, schedules of operations, sound level onset and decay rates and detectability all differ between the two aircraft types.

The most recent studies exploring the effects of helicopter noise were in the mid-1980s and were primarily done for military helicopters. In 2004, an FAA Report to Congress, "Non-military Helicopter Urban Noise Study," recommended that "additional development of models for characterizing the human response to helicopter noise should be pursued." To date, no such work has been done.

Project 02-50: Energy and Environmental Benefits of Electrified Aircraft Taxi Operations
(\$300,000 allocation)

The objective of this research is to identify the potential energy and environmental benefits of electrified aircraft taxi operations, describe potential challenges to their use, and to develop a set of evaluation factors to help the aviation community determine whether the technologies would be beneficial and implementable at the airport.

As demand for air travel continues to grow, airports are facing increased pressure to reduce their contribution to local air emissions and noise. Electrified taxi options may provide an overall net energy and environmental benefits to an airport by removing the need for aircraft main engines to be operating during the majority of the taxi phase of operation.

Several concepts for non-engine powered taxi have recently been developed by industry and government research organizations, including an electric motor permanently fixed to the aircraft, or an electric tug. While these options may provide an energy and environmental benefits, their use may introduce potential challenges to aircraft operators and air traffic control.

There is therefore a need to evaluate the potential net energy and environmental benefits of electrified taxi options through the consideration of fuel burn, emissions, and noise effects, and to consider the potential challenges of implementing this technology.

Project 02-51: Evaluating Noise Level Reduction Test Methods for Dwellings
(\$300,000 allocation)

The objective of this research is to evaluate current and proposed noise level reduction test methods for dwellings and develop guidance for selecting the most appropriate testing method.

Since the early 1980s, the FAA has funded voluntary noise compatibility projects under the Federal Aviation Regulation Part 150 Noise Compatibility Program. Funded projects include soundproofing homes and public buildings, acquiring noise-sensitive properties and relocating their uses, implementing noise abatement procedures, and encouraging compatible zoning. The availability of funding for eligible programs through the Airport Improvement Program (AIP) has allowed many airports to implement sound insulation programs.

The goal of residential sound insulation programs is to modify construction elements to provide an interior noise environment of 45dB Day-Night Average Sound Level "DNL" (CNEL in California) due to aircraft noise, while achieving a minimum 5dB reduction in the interior noise level. Eligible sound insulation projects usually are located in areas where the DNL is 65dB or greater, and AIP funding is available for the implementation of dwelling modifications plus "before-and-after" noise testing.

Although the criterion for the design of dwelling modifications is fairly well-defined, there is no standard procedure specified for the measurement of the “before-and-after” noise reduction to confirm a dwelling’s eligibility and the resulting benefit from the implemented building modifications.

Project 02-52: Hard and Soft Ground Absorption Methodology (\$250,000 allocation)

The objective of this research is to develop an improved method for modeling hard and soft ground absorption of aircraft noise effects in the Aviation Environmental Design Tool/Integrated Noise Model (AEDT/INM). Having this method would help analysts more accurately model aircraft noise levels in the vicinity of airports.

When conducting a FAR Part 150 noise analysis, airports are required to use FAA’s INM, soon to be replaced with the AEDT. INM and AEDT use the same methodology for modeling noise in the vicinity of airports; this method assumes “soft” ground sound absorption in the calculation of lateral attenuation, based on SAE-AIR-5662, Method for Predicting Lateral Attenuation of Airplane Noise (2012).

In reality, areas around airports are often covered with a variety of ground types, including “hard” or reflective ground (such as large areas of pavement or water). Hard ground can have a significant effect on the noise level around an airport due to a decrease in ground absorption effects.

By ignoring hard ground effects and effects from multiple ground types, noise analyses may under-predict the noise due to aircraft operations in the vicinity of airports.

Project 02-55: Modeling Noise for Non-standard Aircraft Profiles (\$350,000 allocation)

The objective of this research is to develop technical guidance to identify situations when airports conducting environmental studies should use alternate performance modeling techniques in their analyses and to provide guidance on the specific modeling techniques and practices to carry out the modeling of customized profiles, with the ultimate goal of identifying potential improvements to future versions of AEDT.

Models used to estimate the environmental impacts of airport activity continue to improve. The new Aviation Environmental Design Tool (AEDT) features improvements including changes in acoustic, emissions, and performance modeling capabilities, as well as improvements to noise-power-distance curves, lateral attenuation algorithms, and relative-humidity absorption.

Continual modeling improvement saw the introduction of procedure step profile capability, which allows for performance-based profile computation within prescribed limits for nonstandard airport environmental conditions. Additionally, the associated aircraft-specific coefficient database has also been expanded.

Yet, other improvements in the modeling capabilities of the current tools are still needed, especially for the more ac-

curate representation of aircraft climb and descent profiles.

The AEDT contains “standard” departure and approach profiles for every aircraft type in its database. The standard profiles and the associated aircraft performance data have been developed by the FAA in collaboration with the aircraft manufacturers to ensure valid three-dimensional flight trajectories that lie within the aircraft performance envelope.

For departures, the standard profiles and AEDT modeling “procedure step” process do not account for the variations in thrust settings utilized at the majority of airports for the vast majority of aircraft operations. For arrivals, the standard approach profile in AEDT is modeled as a continuous glide slope, yet the modernization of the National Airspace System would accelerate the use of non-standard profiles.

Project 01-27: NextGen – A Primer (\$750,000 allocation)

The objective of this research is to generate a document that presents the basic elements of NextGen, in terms and context that are relevant, familiar, and understandable to airport operators. This primer would include how existing FAA plans could potentially affect airports of all sizes and roles, the larger aviation industry, and the public. A timeline would be included that would highlight the FAA’s planned rollout of near and medium-term elements, and the long-range vision. A description of major components and a glossary of terms would also be provided to airport practitioners.

Three components of this research are envisioned: First, a “NextGen and Airports” general educational report suitable for community members, local leaders, and the public designed to raise awareness of NextGen and the role of airports.

Second, a “NextGen Resource Guide” that would provide a comprehensive list of NextGen technologies and initiatives categorized and described for airport practitioners. The audience for this document would be airport staff with a working knowledge of airports.

Third, a “NextGen and Airports” overview guide targeting airport decision makers that would provide a high-level description of the NextGen initiative, including the benefits and costs to the airport and its various stakeholders.

Project 01-28: NextGen – Guidance for Engaging the Airport Community (\$300,000 allocation)

The objective of this research is to develop a new and expanded model for engaging communities in airspace procedure development efforts (including planning, environmental, review, and design). This new and expanded approach would enable airports and the FAA to proactively inform the community about the benefits and costs of potential procedural changes as well as to take into account community opinions, which can be considered in making refinements to final procedure design.

Such an approach would also consider the important balance between enhanced community engagement and efficient

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airspace procedures development (including managing procedure development schedule and costs) in order to expedite implementation of NextGen benefits.

This report would provide an approach for community engagement that calls on lessons learned from airports that have successfully navigated the process of changing arrival and departure procedures. Research should include an examination of the FAA's process for engaging airports and their communities on new arrival and departure procedures, including statutory, regulatory and policy requirements.

Project 03-33: NextGen – Airport Planning (\$500,000 allocation)

Because many airports have the perception that NextGen is far off in the future, airport planners may neglect or put on hold future NextGen-related projects that offer potential benefits (e.g., improved safety, efficiency, and environmental performance).

The research would discuss how NextGen technologies and procedures might lead to better design so as to improve safety, efficiency, and environmental performance, and reduce long-term cost. The target audience for this research would be airport planning directors and would focus on near to medium-term initiatives (i.e., expected implementation in the NAS within the next 10 years). In addition, potential long-term future concepts would be identified, along with corresponding implementation uncertainties and risks.

Project 03-34: NextGen – Understanding Optimal- Efficient Procedure Changes for Aircraft and Airspace (\$500,000 allocation)

The objective of this research is to describe how airports can engage with the FAA, their aircraft users, and their surrounding communities on PBN deployment, including the airport's role in the study and design phases of the FAA's Optimization of the Airspace and Procedures in the Metroplex (OAPM) initiatives. Research could also provide suggested guidance on measures and metrics to allow airport operators to assess "success factors" regarding effects (both positive and negative) on their communities.

Research is needed to provide an overview of existing PBN developments and future capabilities and detail how these near-term improvements would increase the efficiency of operations, including fuel savings, more direct aircraft routings, potentially decoupled airspace at closely-spaced airports (increasing airspace capacity), improved airfield efficiency and safety, and other possible benefits.

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 27

August 23, 2013

ACRP

TRB ISSUES UPDATED, EXPANDED GUIDELINES FOR AIRPORT SOUND INSULATION PROGRAMS

A 313-page Airport Cooperative Research Program (ACRP) report, which updates and expands previous guidance on airport sound insulation programs, was released by the Transportation Research Board on Aug. 20.

ACRP Report 89: Guidelines for Airport Sound Insulation Programs was prepared to help airport and non-airport sponsors develop and effectively manage their aircraft noise insulation projects.

As the guidelines were being finalized last year, the Federal Aviation Administration issued Program Guidance Letter (PGL) 12-09, "AIP Eligibility and Justification Requirements for Noise Insulation Projects," on Aug. 17, 2012.

The PGL replaced existing guidance on the implementation of AIP-funded noise insulation projects as had previously been provided per Section 812 of the AIP Handbook, FAA Order 5100-38C.

"At the time that the ACRP Report 89 guidelines were finalized, there were outstanding questions regarding the PGL. These outstanding questions and related is-

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Naval Air Station Key West

COUNTY ADVOCATES FOR MITIGATION NAVY REJECTED IN FEIS ON EXPANDED BASE OPS

Monroe County, FL, Commissioners are seeking the ear of as many influential people as they can to express concerns about the Navy's plans to increase fighter jet training operations at Naval Air Station Key West without implementing the noise mitigation measures the County seeks, including sound insulation of civilian homes in the high noise zone near the air station.

On Aug. 21, the Commissioners authorized the County Administrator, staff, and consultants to meet with senior Navy policy officials, White House Council on Environmental Quality and Office of Intergovernmental Affairs staffs, members of the Florida congressional delegation, and the County lobbyist to discuss the County's continuing concern with the Final Environmental Impact Statement on the project.

The County's concerns focus on the Navy's rejection of all the major substantive recommendations it made on a Draft Environmental Impact Statement the Navy released in August 2012 on its plan to increase operations at the naval air station.

Monroe County disagreed with the Navy's conclusion that expanding operations at Naval Air Station Key West would not cause significant noise impact in the

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NASA ... Agency releases new vision for aeronautics research; includes innovation in commercial supersonic aircraft that will provide data for a low-level sonic boom standard that could lead to permission for supersonic flights over land - p. 107

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sues are discussed throughout the text with advice to users to contact their ADO project manager regarding any further guidance or information that has been provided since the publication of these guidelines,” TRB Staff Officer Theresia H. Schatz explained in a *Forward* to the report.

“This research will be very helpful to improve current practices and ensure compliant airport sound insulation programs. The research significantly expands information available on best practices and current standards and requirements for sound insulation of homes as well as for other eligible noise-sensitive buildings. The guidelines are a very useful tool for airport staff, consultants, and FAA offices to use with the AIP guidance provided in the AIP Handbook as updated by PGLs from time to time,” the *Forward* notes.

The updated guidelines were prepared under ACRP Project 02-24. The effort was led by the Jones Payne Group in association with URS Group, Freytag & Associates, Larson Manufacturing, CSDA Architects, S&L Specialty Contracting, Robert R. Smith, R.W. Sullivan Engineering, and Hill International, Inc. Each of the team members was expert in a specific area or aspect of sound insulation addressed in the guidelines.

A separate contractor’s final report, which provides background to the research conducted in support of the guidebook, has been posted on the ACRP Project 02-24 web page at <http://apps.trb.org/cmsfeed/TRBNetProjectDisplay.asp?ProjectID=2795>.

Unlike earlier sound insulation program guidance, the ACRP report also addresses energy performance and sustainability, community outreach, improvements in products, current code and other regulatory requirements, and bidding methodologies and project costs.

The report is available online at <http://www.trb.org/ACRP/Blurbs/169358.aspx>

MSP Int’l**FORUM TO SOLICIT QUESTIONS ON MSP RNAV IMPLEMENTATION**

Congressman Keith Ellison (D-MN) will hold a public forum on Aug. 27 to discuss the questions Minneapolis residents would like to have answered before RNAV procedures are implemented at Minneapolis-St. Paul International Airport.

Expected to attend the forum are Administrator of Federal Aviation Administration Great Lakes Region Barry Cooper, Minneapolis Mayor R.T. Rybak (D), State Sen. Scott Dibble (DFL), state Rep. Frank Hornstein (DFL), and representatives of the Metropolitan Airports Commission (MAC).

The forum will be held from 5:30 to 7 p.m. at Washburn High School, 201 W. 49th St., in Minneapolis.

“Last fall, the FAA attempted to implement RNAV at the airport with minimal notification and no input from the residents directly affected by the changes. Minneapolis and partners were able to prevail upon the Metropolitan Airports Commission to request more time and to develop a better plan,” the City of Minneapolis said in an Aug. 12 press release announcing the forum.

Officials of Minneapolis and the community of Edina, west of the airport, were so fearful that FAA was trying to push through airport commission approval of the RNAV departure procedures it wanted to impose at MSP that they mounted a scorching campaign against them (25 ANR 184).

Portions of both Minneapolis and Edina would have had concentrated overflights from the RNAV procedure package FAA proposed.

The political pressure on the Metropolitan Airports Commission was so intense from Minneapolis and Edina that the MAC backed off endorsing the RNAV procedures that would have taken aircraft over those cities and only approved those that took aircraft to the south and east of the airport.

Consequently, FAA is now determining whether it can safely implement only a portion of the RNAV departure procedure package it proposed at MSP International.

NASA**NASA RELEASES NEW VISION FOR AERONAUTICS RESEARCH**

NASA Administrator Charles Bolden has unveiled a new strategic vision that will better align the work of the agency’s Aeronautics Research Mission Directorate to address looming challenges in global air transportation.

Continuing a tradition of nearly a century of aviation research, NASA’s aeronautical innovators will bring to life new technology and ideas in flight to ensure the United States will maintain its leadership in the sky and sustain aviation as a key economic driver for the nation, the agency said.

Bolden shared the strategic vision as a keynote speaker during a gathering of the nation’s leading aviation engineers and managers at the American Institute for Aeronautics and Astronautics’ Aviation conference in Los Angeles on Aug. 14.

The new strategic vision greatly expands the relevancy of NASA’s research and is based on three themes: understanding emerging global trends, using those trends to drive research directions and then organizing NASA’s aeronautical research work in response to those drivers.

The new vision addresses key drivers that are expected to change the face of aviation during the next 20 to 40 years. Those drivers include significant growth in planet-wide demand for air mobility, mounting concerns related to climate and energy, and the convergence of technologies ranging from new materials to embedded sensors to ubiquitous networking.

Six Research Areas Defined

Reflecting inputs contributed by the aviation community and national policymakers, six areas of research were identified in the vision that will allow NASA to best deploy its resources and prioritize its goals:

- Safe, efficient growth in global operations that will enable the Next Generation Air Transportation System in the United States by 2035 and safely expand capacity of the global airspace system to accommodate growth in air traffic.
- Innovation in commercial supersonic aircraft that will provide data for a low level sonic boom standard that could lead to permission for supersonic flight over land.
- Ultra-efficient commercial transports that will pioneer technologies for future generations of commercial transports that simultaneously reduce noise, fuel use and emissions.
- Transition to low-carbon propulsion that will enable industry to move toward and adopt use of low-carbon fuels and alternative propulsion systems.
- Real-time, system-wide safety assurance in which tools are developed for use in creating a prototype of an integrated safety monitoring and assurance system that can detect, predict and prevent safety problems in real time.
- Assured autonomy for aviation transformation that will enable the utilization of higher levels of automation and autonomy across the aviation system, particularly as it relates to unmanned aerial systems and remotely piloted vehicles.

A NASA White Paper on the agency's Aeronautics Research Strategic Visions is available at http://www.aeronautics.nasa.gov/pdf/armd_strategic_vision_2013.pdf

Awards

RENO-TAHOE AIRPORT AUTH. WINS 2013 RANDY JONES AWARD

The Reno-Tahoe Airport Authority is the recipient of the 2013 Randy Jones Award for Excellence in Airport Noise Mitigation, the Planning Committee for the American Association of Airport Executives (AAAE) Airport Noise Mitigation Symposium announced.

This award is given every year to an individual or organization that has made a significant contribution to the airport noise mitigation industry.

The RTAA has undertaken noise mitigation efforts at Reno International Airport since 1995. To date it has insulated over 4,600 dwellings and expects to insulate the 5,000th home in the summer of 2013. During the 2010 seven-month-long construction season, the RNO program was treating over 110 dwellings per week.

"Since the program began in 1995, the RTAA has shown a dedication to improve the quality of life for individuals in the community that live near RNO airport and are impacted by high levels of aircraft noise," the Planning Committee said in announcing the award.

The Randy Jones Award will be presented at the 13th Annual AAAE Airport Noise Mitigation Symposium during the awards luncheon on Oct. 7 at the Eldorado Hotel in Reno.

A draft symposium agenda is available at: <http://noise-mitigation-symposium.com/>

The symposium sessions will focus on an update of FAA regulations, an airport survey on the status of sound insulation programs, "practical realities" of the Airport Handbook revisions, acoustical testing protocols, winding down a sound insulation program, and public relations strategies for airports implementing sound insulation programs.

In addition, a contractor/supplier roundtable discussion will be held as well as an overview of the Reno-Tahoe Airport sound insulation program and a tour of homes in the program.

Key West, from p. 106

nearby community, asserting that there were substantial flaws in the Navy's noise analysis, including an inadequate assessment of the baseline noise condition at the air station and surrounding community.

In the Final EIS on the project, released on Aug. 2, the Navy selected a project alternative that will add up to 4,500 additional annual operations at the Key West Naval Air Station, increasing the total number of annual operations to approximately 52,000. It also approved transitioning to next-generation F-35 aircraft at the air station and conducting carrier air wing Field Carrier Landing Practice (FCLP) operations there.

The Navy is expected to issue a Record of Decision on the project in September.

Monroe County Commissioners authorized staff and its consultant on the EIS (the Fort Lauderdale, FL-based engineering firm Keith and Schnars) to advocate for the following noise mitigation measures recommended by the County:

- An absolute limit on all types of flight operations at the naval air base, including FCLP and night flights.
- The "proper evaluation" of the baseline condition for existing operations at Naval Air Station Key West. Although the FA-18E/F Super Hornet aircraft is already operating at the air station, Monroe County wants the Navy to exclude its noise from the baseline conditions analysis on the basis that the noise impact of the aircraft on the surrounding community was never properly evaluated in earlier NEPA documents that the Navy relied on in this FEIS. The County asked the Navy to evaluate the FA-18E/F as a new, Next Generation aircraft in the noise analysis of the current project.
- The Navy should contract with an independent consultant "to conduct a noise study to establish an actual noise baseline with actual noise sampling based on industry accepted protocols, and should the Navy choose not to conduct a noise study, it should request authorization for the County to contract an independent consultant to conduct a noise study to establish an actual noise baseline with actual noise

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sampling to document the full impacts to surrounding community and the necessary mitigation by the Navy to alleviate the impacts”;

- Full mitigation by the Navy for the impacts associated with the proposed increases in flight operations to ensure the impacts on existing surrounding community are minimized. This includes, but is not limited to:

- (1) Navy request for statutory authority, where necessary, to provide mitigation to the surrounding community impacted by the proposed increases in flight operations included in the preferred alternative. Also, as a result of the FA-18E/F Super Hornet, mitigation should include but not be limited to soundproofing;

- (2) The use of alternative runways to alleviate impacts to the surrounding community; and

- (3) Modification of operational procedures and full enforcement of course rules (e.g., altitudes, flight paths) to minimize impacts to the surrounding community.

Navy’s Response to Comments

In the FEIS the Navy responded to Monroe County’s criticisms and recommendations.

It said “the analytical methodology and results presented in the EIS for noise are consistent with current Navy policy regarding the modeling of aircraft noise. The Navy has determined the noise analyses presented in this EIS is an accurate representation of the current and future noise environment.”

The Navy said the noise environment at the NAS Key West airfield was modeled using NOISEMAP software suite, which “represents the best noise modeling science available today for military airfields.”

Regarding mitigation of noise impacts, the Navy said it “will continue to make every attempt to minimize its noise impacts to nearby communities through the continued use of designated flight paths, procedures, and noise abatement measures for military aircraft,” which include restricting the manner in which aircraft climb, limiting late night flying to only mission essential activities, minimizing flights over heavily-populated areas, and accepting input from the public to ensure these measures remain as effective as practicable.”

The Navy explained in its FEIS that Congress has not given the military services the authority to install soundproofing in homes and buildings that are not owned by the federal government.

Under existing conditions, an estimated 1,273 housing units off the air station are within the 65 dB DNL or greater noise zone, according to the FEIS. Expanding operations at the air station under the alternative selected is estimated to add another 184 homes to that zone.

The FEIS is available at <http://www.keywesteis.com/>

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 28

August 30, 2013

Las Vegas McCarran Int'l

SHRINKING NOISE CONTOURS AT LAS OPEN UP LAND FOR RESIDENTIAL DEVELOPMENT

By Jeffrey M. Jacquart
 Airport Program Administrator
 Las Vegas McCarran International Airport

[A change in FAA policy in 2008 requires airports to sell land they acquired within their 65 dB DNL contours for noise compatibility purposes rather than hold onto such land as a noise buffer. But airports' 65 dB DNL contours are in the process of shrinking, which moves land that had once been barred from residential development – through restrictions in aviation easements and zoning codes – into areas where airports have no legal ground to prevent it.

Following is a Special Report by Jeffrey M. Jacquart, Airport Program Administrator for Las Vegas McCarran International Airport, explaining how Clark County, NV, addressed this issue by allowing property owners to buy back the right to develop their property for residential use through a deed modification.

Clark County's novel program could be instructive to other airports that are under strong pressure to allow residential development on land no longer within their 65 dB DNL contours.]

Governmental entities across the country face challenges with land use planning around airports in trying to ensure that properties that may be affected by aircraft-related noise are developed with uses that are compatible with airport operations. However, such challenges don't always end with the adoption of appropriate land use ordinances and/or the use of other means to ensure compatible development because the noise environment around many airports has changed in the last decade.

Many of the land use compatibility tools that airports use today were developed in the 1970s and 1980s when it was presumed that noise contours would remain static or would grow with increased aircraft operations. That assumption was prudent and appropriate in the years before the phase out of Stage 2 large commercial aircraft (2000) and general aviation aircraft (scheduled for 2015) and before new engine technology. Today, however, increased operations do not necessarily mean larger noise contours and few commercial service airports will ever see contours of the size that existed in the previous decades.

Technological improvements have significantly reduced aircraft-related noise in current aircraft mixes at airports in the United States and have resulted in an actual reduction in the size of the areas off airport runways that are deemed to be noise-affected under federal laws and regulations – even as the level of air traffic has increased.

(Continued on p. 111)

In This Issue...

Las Vegas McCarran Int'l Airport ... In a Special Report, Jeffrey M. Jacquart, Airport Program Administrator for Las Vegas McCarran International Airport, describes a deed modification program recently approved by Clark County, NV, that opens up land outside the airport's shrinking 65 dB DNL noise contours to residential development - p. 110

Toronto Billy Bishop Airport ... City of Toronto begins a public consultation process on a request by Porter Airlines to extend runway and allow jet traffic at the airport, which is located very near the city center - p. 112

AIP Grants ... Buffalo Int'l and Louisville Int'l airports receive AIP grants for noise mitigation projects - p. 112

Dulles Int'l Airport ... FAA issues final rule establishing two new low-altitude RNAV routes west of the airport that procedurally separate aircraft that are circumnavigating Dulles - p. 113

McCarran, from p. 110

This has been the experience at McCarran International Airport (LAS) in Las Vegas.

Even more than most communities near airports, the Las Vegas valley population has grown substantially over the past several decades and residential development around LAS has been a concern since the early 1990s.

For over two decades, the Clark County Department of Aviation (CCDOA) has worked effectively with local planning agencies and the federal government to ensure new residential development was minimized within areas that had been identified as being affected by aircraft noise.

One key tool used to achieving this goal was a 1992 agreement between Clark County and the U.S. Department of the Interior – Bureau of Land Management (BLM) referred to as the Cooperative Management Area (CMA) Agreement.

Under the CMA Agreement, BLM agreed to place conditions and restrictions on any land that it sold or disposed of within the boundaries of the CMA in order to preclude development of such land with any “incompatible uses,” as defined in the CMA.

One of the primary defined incompatible uses was residential development. The CMA boundaries were based upon the 1988/1989 FAR Part 150 study for LAS and encompassed all land identified as being exposed to the 60 decibel, A-weight, day-night annual average noise level (60 dB DNL) and higher.

This unique agreement protected approximately 5,000 acres of land near LAS that were managed by the BLM and located within the 60 dB DNL from incompatible development. The CMA did not cover privately owned parcels that were scattered throughout the CMA, which had been sold or otherwise released to private parties prior to the CMA.

BLM Land Transferred to County

Compatible land use efforts continued after the passage of the Southern Nevada Public Land Management Act of 1998 (SNPLMA), which provided for the transfer of the BLM’s CMA lands to Clark County. The Act permitted the County to sell, lease, or otherwise transfer the CMA parcels to private entities but required that any such transfer contain conditions and restrictions precluding development of any parcel with any incompatible uses, as defined in the CMA.

Since 1999, approximately 2,200 acres (more than 40 percent of the original CMA lands) have been conveyed to private parties for compatible development. At the time of each conveyance, Conditions, Covenants and Restrictions (CC&Rs) were recorded against these parcels to prohibit uses incompatible with airport operations, including but not limited to, residential development. Fair market value of these lands was determined after taking the CC&Rs into consideration, and therefore was often less than the unrestricted value.

At this time, almost 1,200 acres (more than 50 percent) of the previously conveyed property remain undeveloped.

In 2006, CCDOA updated its FAR Part 150 study for

LAS. Not surprisingly, even though air traffic had increased, the updated noise exposure maps showed a significant reduction in the size of the area within the 60 dB DNL noise environments.

Almost 70 percent of the CMA land included in the 1988 60 dB DNL noise contour is shown as having noise levels less than 60 dB DNL in the 2006 maps. Of the 2,200 acres conveyed to private parties for development, half of those parcels are now located outside the revised 60 dB DNL noise contour.

More importantly, almost 70 percent of those lands remain undeveloped – and pressure to allow residential development on these lands is high. Notwithstanding the CC&Rs, residential development is no longer an incompatible use for airport operations on parcels which are now located outside the revised 60 dB DNL noise contour.

County Allows Deed Modification

The County obtained the CC&Rs legally and has no obligation to permit a modification of the current restrictions placed upon permitted land uses on the CMA parcels.

However, on May 7, recognizing the substantially smaller contour, the Clark County Board of Commissioners adopted a policy to permit current CMA landowners an opportunity to apply for the modification of certain CC&Rs which no longer need to be imposed upon land outside the 60 dB DNL noise contour according to federal laws and regulations.

Notices were mailed to over 500 affected property owners informing them of the deed modification policy.

Applications for removing the CC&Rs must be received within six months and various fees apply. Since the properties were sold based on appraisals which took the then-existing CC&Rs into account in determining fair market value, the County is requiring payment for the increased value that a deed modification will bring to the properties.

The Deed Modification Fair Market Value cost to allow residential development outside the 60 dB DNL can vary from just over \$19,000 per acre to more than \$36,000 per acre, based on the submarket within which the parcel falls. To date, the land use applications received by Clark County contain development proposals that could allow development of more than 4,400 residential units on the previously conveyed CMA lands.

The innovative CCDOA program blazes new territory for airports that have had long standing and highly effective land use compatibility programs. Clark County’s experience is likely to be useful as other airports consider how to address shifting – and often shrinking – noise contours.

CCDOA’s land use compatibility point person for its program is Jeffrey M. Jacquart, Airport Program Administrator, who can be reached at (702) 261-5510 or at jeffj@mccarran.com.

*Toronto Billy Bishop Airport***TORONTO STUDYING REQUEST TO ALLOW JETS AT CITY AIRPORT**

The City of Toronto announced Aug. 27 that it is conducting a public consultation process on a request to permit jet airplanes at Billy Bishop Toronto City Airport, which is located on a small island just offshore from the city center.

The consultation process was sparked by an application by Porter Airlines to extend the airport's runway by 168 meters (551 feet) at each end and to modify a 1983 operating agreement to allow the carrier to use Bombardier CS100 jets at the airport.

At its May 7 meeting, Toronto City Council asked City staff to undertake a review of Porter Airlines' request to amend the 1983 Tripartite Agreement between the City of Toronto, the Government of Canada, and the Toronto Port Authority (TPA) to permit the landing of commercial jets at Billy Bishop Toronto Centre Airport.

The city's review of Porter's request excludes an expansion of the airport into the Toronto Islands Park or the current Marine Exclusion Zone and any change to existing airport noise guidelines.

The Tripartite Agreement places restrictions on the types of aircraft that may be operated at the airport, hours of operation, noise conditions, and access to the facilities. The City of Toronto, the TPA and the Government of Canada each own part of the lands on which the airport is located.

The Tripartite Agreement may be amended with the written consent of all parties. Any amending agreement would be brought back to Toronto City Council for approval before being signed.

In 2012, more than two million passengers went through Billy Bishop and that number is expected to grow.

Focus of Consultation

The focus of the consultation is to assess how changes to the airport would impact the city, including the ongoing revitalization of the waterfront and nearby communities on the water's edge.

Issues to be considered in the consultation process are aviation noise, safety and infrastructure; economic impacts; land use and community impacts; marine navigation, coastal and habitat assessments; public health impacts; and transportation impacts.

The City of Toronto urged its residents to participate in the consultation process and to provide the City with feedback about this important issue through the following means:

- Participate online at http://www.toronto.ca/bbtca_review to obtain more information and complete an online survey;
- Attend one of two workshops that will be held on Sept. 4 and 9 to talk with City staff and technical consultants and share ideas;
- Participate in a Sept. 12 Town Hall meeting that will include a presentation and discussion.

A final report on the consultation will be presented to the Toronto Executive Committee on Dec. 5.

*AIP Grants***FAA ANNOUNCES ONLY THIRD AIP NOISE GRANT IN FISCAL 2013**

Niagara Frontier Transportation Authority (NFTA) has received a \$5,169,399 federal Airport Improvement Program grant to complete noise mitigation measures on 187 homes near the Buffalo-Niagara International Airport, NY Sens. Charles Schumer (D) and Kirsten Gillibrand (D) announced Aug. 27.

Thus far in fiscal year 2013, only three airports have received AIP grants for airport noise mitigation projects.

In July, FAA announced that Louisville International Stanford Field received an AIP grant of \$18,118,943 to acquire land for noise compatibility in the 65-69 DNL contour and for noise mitigation measures for residences in the 65-69 DNL contour.

The agency also announced in July that Westover Air Reserve Base/Metropolitan Airport received an AIP grant of \$153,614 to conduct a noise compatibility plan study.

In past years, the FAA has announced awards of AIP noise mitigation grants to airports throughout the fiscal year. ANR asked FAA why things were different this year.

An FAA spokeswoman said there have been no specific delays in the award of noise program grants this fiscal year. "The entire AIP grant program was significantly delayed this year primarily due to delays in the full-year appropriation process as well as other external factors," she explained, adding that FAA is working to finalize the 2013 grant program by Sept. 30, the end of the fiscal year.

Regarding the AIP grant to fund residential sound insulation at Buffalo-Niagara International Airport, Sen. Schumer said, "This \$5 million investment in the NFTA and the community surrounding the Buffalo-Niagara International Airport will go a long way in improving the quality of life for nearly 600 local residents. The funding will help address noise pollution from the airport and mitigate the disturbances for nearby residents, who will now be able to better enjoy the benefits of having an airport close to home without as much of the trouble."

Added Sen. Gillibrand, "This is an important investment for the Buffalo Niagara International Airport and the surrounding community. Improving the airport's infrastructure to reduce noise can help improve the quality of life and real estate value for the nearly 600 residents who live in the area."

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FAA RULE ESTABLISHES TWO NEW LOW-ALTITUDE RNAV ROUTES WEST OF IAD

The Federal Aviation Administration issued a final rule issued on Aug. 29 that establishes two new low-altitude RNAV routes (T-287 and T-299) west of the Washington-Dulles International Airport (IAD) area.

The new routes were developed to allow aircraft to navigate via routes that are procedurally separated from the NextGen Optimized Profile Descent arrival procedures in the IAD area.

“The new routes support the Washington, DC, Optimization of Airspace and Procedures in a Metroplex (OAPM) project and enable aircraft to circumnavigate IAD arrival flows,” FAA explained in its *Federal Register* notice.

“Aircraft transiting through the Washington, DC, area are routinely vectored to the west of the IAD area in order to separate them from the major arrival flows into the IAD area. T-287 and T-299 are designed to mimic the flight paths currently used for vectoring these transiting aircraft. The routes provide consistent and predictable routing for aircraft to ... navigate while being assured of separation from larger turbojet aircraft entering and exiting the Washington, DC, area. Further, the routes reduce air traffic controller workload and enhance efficiency within the National Airspace System.”

The FAA has determined that the final rule qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, Environmental Impacts: Policies and Procedures, paragraph 311a.

“This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment,” FAA said.

The Aircraft Owners and Pilots Association (AOPA) opposed the new RNAV routes east of Dulles and predicted in comments to the FAA that pilots will not use them because they are “inefficient and lack benefits.”

But FAA said, “Since they mimic the tracks already used for vectoring aircraft, the T-routes provide more consistent, predictable, and precise routing. The FAA believes that these routes do benefit both pilots and air traffic controllers.

For further information, contact Paul Gallant in the Airspace Policy and ATC Procedures Group of FAA’s Office of Airspace Services; tel: (202) 267-8783.

AIRPORT NOISE REPORT

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Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 29

September 6, 2013

AIP Grants

19 AIRPORTS AWARDED AIP GRANTS FOR NOISE MITIGATION PROJECTS THUS FAR IN FY 2013

Some 19 airports have received Airport Improvement Program (AIP) grants to fund noise mitigation projects thus far in fiscal year 2013, according to data placed on the Federal Aviation Administration's website on Sept. 3.

Most of the noise mitigation grants announced go to fund airport residential sound insulation programs.

The three highest grant awards went to Louisville International Airport (two grants totaling \$18.1 million for land acquisition and residential sound insulation); to Chicago O'Hare International (two grants totaling \$11.3 million for residential and school sound insulation), and to Milwaukee Gen. Mitchell International (one grant of \$9.2 million for residential sound insulation).

It is likely that FAA will announce additional AIP fiscal 2013 grant awards before the end of fiscal year on Sept. 30.

The FY 2013 grant awards for noise mitigation and other airport projects are posted at http://www.faa.gov/airports/aip/grantapportion_data/

(Continued on p. 115)

Guest Editorial

A 'PERFECT STORM'

Recent actions by all three branches of the federal government address more types of aircraft noise and acknowledge that adverse effects extend beyond traditional noise contours.

by Ted Baldwin

Senior Vice President, Harris Miller Miller & Hanson Inc.

Serious federal attention to aircraft noise began around 1960, largely in response to community concerns (okay, complaints) related to the introduction of early air carrier jets ("airliners"), in particular the Boeing 707 and Douglas DC-8.

For the past half century, the federal government has largely focused its attention on aircraft noise associated with succeeding generations of airline jets at commercial service airports. General aviation (g.a.) airports, g.a. jets, propeller aircraft, and helicopters have been a secondary focus of attention to all branches of the federal government, as illustrated by the following examples:

(Continued on p. 115)

In This Issue...

Grants ... Some 19 airports have received AIP grants to fund noise mitigation projects thus far in fiscal year 2013, data placed on FAA's website on Sept. 3 show. Most of the grants fund airport sound insulation programs. The three airports receiving the highest grant award totals are Louisville International, Chicago O'Hare International, and Milwaukee Gen. Mitchell International - p. 114

Guest Editorial ... Ted Baldwin, Senior Vice President of the consulting firm Harris Miller Miller & Hanson Inc., documents how the federal government is turning its focus to previously neglected and lower profile aircraft noise issues and diverging from prior positions relating to the longstanding "line in the sand" that had been drawn at the 65 dB DNL contour line. He explains how FAA's imposition of a mandatory helicopter route off the North Shore of Long Island illustrates this divergence - p. 114

Grants, from p. 114

Following is the entire list of airports that have received AIP grants for noise mitigation projects as of Sept. 3:

- Anchorage Ted Stevens International Airport received a grant of \$7,028,849 for noise mitigation measures for residences in the 65-69 DNL contour (an estimated 90 homes);
- Bradley International Airport in Windsor Lakes, CT, received a grant of \$960,000 for noise mitigation measures for residences in the 65-69 DNL contour;
- Chicago O'Hare International Airport received a grant of \$375,000 for noise mitigation measures for a school;
- Chicago O'Hare International Airport received a grant of \$11 million for noise mitigation measures for residences in the 65-69 DNL contour;
- Indianapolis International Airport received a grant of \$112,500 to conduct a noise compatibility plan study;
- Louisville International Airport – Standiford Field received a \$2.7 million grant to acquire land for noise compatibility in the 65-69 DNL contour and for noise mitigation measures for residences in the 65-69 DNL contour;
- Louisville International Airport – Standiford Field received a grant of \$15,418,943 to acquire land for noise compatibility in the 65-69 DNL contour and for noise mitigation measures for residences in the 65-69 DNL contour;
- Boston Logan International Airport received a grant of \$1,947,992 for noise mitigation measures for residences in the 65-69 DNL contour;
- Westfield Barnes Regional Airport in Westfield, MA, received a grant of \$2,145,869 for noise mitigation measures for residences in the 70-74 DNL contour;
- Westfield Barnes Regional Airport in Westfield, MA, received a grant of \$350,590 to acquire land for noise compatibility in the 70-74 DNL contour;
- Westover Air Reserve Base in Springfield-Chicopee, MA, received a grant of \$153,614 to conduct a noise compatibility plan study;
- Buffalo Niagara International Airport in Buffalo, NY, received a grant of \$5,105,945 for noise mitigation measures for residences in the 65-69 DNL contour (sound insulation construction for 187 homes and sound insulation design for 70 homes);
- Piedmont Triad International Airport in Greensboro, NC, received a grant of \$3.5 million for noise mitigation measures for residences in the 65-69 DNL contour;
- Pitt-Greenville Airport in Greenville, NC, received a grant of \$1.5 million to improve runway safety area (noise land acquisition);
- Lehigh Valley International Airport in Allentown, PA, received a grant of \$1,396,309 for noise mitigation measures for residences in the 65-69 DNL contour;
- T.F. Green Airport in Warwick, RI, received a grant of \$800,000 for noise mitigation measures for residences in the 65-69 DNL contours (development of plan and mitigation of sound insulation program pilot homes);
- T.F. Green Airport in Warwick, RI, received a grant of \$5 million to acquire land for noise compatibility in the 70-74 DNL contour;
- Houston George Bush Intercontinental Airport received a grant of \$3,482,140 for noise mitigation measures for residences in the 65-69 DNL contour;
- Burlington (VT) International Airport received a grant of \$1,179,000 to acquire land for noise compatibility in the 65-69 DNL contour;
- Boeing Field/King County International Airport in Seattle, WA, received a grant of \$3.5 million for noise mitigation measures for residences in the 65-69 DNL contour;
- Seattle-Tacoma International Airport received a grant of \$3.9 million for noise mitigation measures for public buildings;
- Milwaukee Gen. Mitchell International Airport received a grant of \$9,208,677 for noise mitigation measures for residences in the 65-69 DNL contour (115 homes);
- Jackson Hole Airport in Jackson, WY, received a grant of \$1 million to conduct a noise compatibility plan study.

Editorial, from p. 114

- *Legislative branch:* Congress has focused on laws phasing out older noisier aircraft over 75,000 pounds, which largely represent the air carrier class.
- *Executive branch:* The FAA's development of the Integrated Noise Model (INM) has largely focused on modeling air carrier jets, as exemplified by the database's most extensive coverage for that category of aircraft, with increasing dependence on substitute modeling surrogates as aircraft weight decreases.

- *Judicial branch:* Legal decisions have largely accepted arguments that significant noise exposure and associated liability extend only to the 65 decibel (dB) Day-Night Average Sound Level (DNL) contour, on which g.a. aircraft and helicopters have relatively little effect; typically the 65 DNL contour from these aircraft alone encompass little – if any – off-airport land.

Federal Focus Changing

To build on the “ocean” metaphor in the title of this editorial, the airline jet noise “tide” is ebbing, largely as the result of federal legislation and FAA regulations that force the retirement of 14 C.F. R. Part 36 Stage 1 and 2 jets over 75,000 pounds, and require applications for new “type certification” to meet Stage 4 requirements. Local noise abatement and land use compatibility programs have complemented these federal actions (and frequently benefited from federal funding and implementation support).

One potential federal response might be to declare “*mission accomplished*” on the noise front, and turn the focus to areas where the tide is rising – both literally and figuratively; e.g., emissions-related contributions to climate change, which appear to be associated with storms that threaten coastal airports and result in operational delays at airports at all elevations.

However, recent actions show that the federal government is taking a different approach, and turning its focus to previously neglected – or at least lower-profile – noise issues associated with g.a. airports, g.a. jets, and even helicopters. Again, this “changing tide” is reflected across the board at the federal level:

- *Legislative branch:* In the “FAA Modernization and Reform Act of 2012,” Congress prohibited, after December 31, 2015, regular operation in the contiguous 48 states of civil aircraft weighing 75,000 pounds or less that do not meet Stage 3 noise levels. See <http://www.gpo.gov/fdsys/pkg/FR-2013-07-02/pdf/2013-15843.pdf>.

- *Executive branch:* As summarized in its “Aviation Noise Impacts Research Roadmap,” the FAA is supporting a number of initiatives recognizing a broader range of noise issues, such as the accuracy of the INM for modeling g.a. aircraft and enhanced modeling of taxiway noise.

- *Executive Branch:* In a more applied case, the FAA adopted a final rule on July 6, 2012, that requires helicopter pilots to use the North Shore Helicopter Route when operating along the north shore of Long Island, New York. The purpose of the rule is to “protect and enhance public welfare by maximizing utilization of the existing route flown by helicopter traffic one mile off the north shore of Long Island and thereby reducing helicopter overflights and attendant noise disturbance over nearby communities.” (see http://www.faa.gov/regulations_policies/rulemaking/media/NYShoreHelicopterFinalRule.pdf)

- *Judicial branch:* In a recent opinion that denied a petition by the Helicopter Association International (HAI) for judicial review of the preceding mandatory helicopter route, the U.S. Court of Appeals for the District of Columbia Circuit supported the other federal government branches in their focus on lower levels of noise exposure related to operations by non-airline aircraft. (See [http://www.cadc.uscourts.gov/internet/opinions.nsf/1C20D137DFF53DAD85257BA600539826/\\$file/12-1335-1446255.pdf](http://www.cadc.uscourts.gov/internet/opinions.nsf/1C20D137DFF53DAD85257BA600539826/$file/12-1335-1446255.pdf))

It should be noted that the Long Island helicopter route rule addressed in the preceding two bullets was initiated by two federal legislators representing Long Island residents – Senator Charles Schumer and Representative Tim Bishop – who conducted a meeting in October 2007 with the FAA, local helicopter operators and airport proprietors to specifically address noise complaints stemming from helicopter operations along the north shore of Long Island. While only the executive and judicial branches took formal action, the process involved significant input by these legislators as well.

Divergence from Prior Federal Positions

The mandatory helicopter route is particularly significant because it represents divergence from several prior federal positions related to the longstanding “line in the sand” that the federal government has drawn at the 65 decibel (dB) Day-Night Average Sound Level (DNL) contour:

- First, it reflects major divergence from the prior federal position that reduction of sensitive land uses exposed to noise above 65 dB DNL was a *de facto* prerequisite for approval and support of support of noise abatement or compatible land use actions. In its brief responding to the HAI petition, the FAA acknowledged that the route would not produce any benefit at or above this level of exposure, and noted that it “has authority to act without first demonstrating that a specific noise level has been exceeded.” Furthermore, the FAA brief cited the “Long Island North Shore Helicopter Route Environmental Study,” which it had tasked the John A. Volpe National Transportation Systems Center to conduct. That study concluded that prior to the adoption of the mandatory route, no residential population along the route was exposed to noise above 45 dB DNL, even on busy holiday weekends (e.g., around Memorial Day and July 4th, 2011).

- Second, it reflected the first time – of which this author is aware – that the FAA relied on complaints as a fully sufficient basis for adoption of a formal noise abatement procedure. In perhaps its most blunt statement regarding complaints, the FAA brief responding to the HAI petition stated “[w]hen people take the time to complain about helicopter noise to the FAA and their elected officials, there is a noise problem.”

The FAA’s justification for and defense of adopting a mandatory noise abatement rule based on noise complaints

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and with open acknowledgement that the benefit was outside the 65 dB DNL contour by a 20-decibel margin is an extraordinary divergence from decades of FAA policy and decisions regarding noise compatibility actions. As just one example, readers may recall that in its determination that the Naples (FL) Airport Authority (NAA) ban on Stage 2 operations “was unreasonable and unjustly discriminatory” and therefore in violation of federal law, in part because the “NAA’s use of complaints ... does not support a finding that the Stage 2 ban is reasonable.” (“Director’s Determination,” FAA Docket No. 16-01-15, March 10, 2003.)

The Tide Is Turning

These recent actions by all three branches of the federal government clearly acknowledge that aircraft noise impacts worthy of addressing in the most formal manner need not be justified by federal land use compatibility guidelines, are not limited to particularly noisy aircraft, and do not even require quantification in decibel-based terms.

While the applicability of these actions as precedents in addressing other noise concerns across the U.S. will undoubtedly be the topic of vigorous debate for some time, airport noise stakeholders – including aircraft operators, pilots, airport proprietors, state and local government land use jurisdictions, airport neighbors, and others – should follow the federal lead in taking a fresh look at creative bases for demonstrating benefits and considering – or reconsidering – the full spectrum of noise abatement and compatible land use measures that might be applied to aircraft noise sources.

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 30

September 13, 2013

Research

FAA SELECTS WASHINGTON STATE, MIT TO LEAD NEW CENTER OF EXCELLENCE

Transportation Secretary Anthony Foxx this morning announced that the Federal Aviation Administration has selected a team of universities to lead a new Air Transportation Center of Excellence (COE) for Alternate Jet Fuels and the Environment.

Led by Washington State University and the Massachusetts Institute of Technology, the COE will explore ways to meet the environmental and energy goals that are part of the Next Generation Air Transportation System (NextGen).

“This innovative partnership supports President Obama’s national plan to address climate change,” said Secretary Foxx. “The Center of Excellence will tap talented universities to help us take environmentally friendly, alternative jet fuel technology to the next level. Airlines and their customers will both benefit from their work developing cleaner fuel that supports the environment and continued aviation growth.”

Core team partners include Boston University, Oregon State University, Purdue University, the University of Dayton, the University of Illinois at Urbana-Cham-

(Continued on p. 119)

Environmental Review

TABER SAYS CATEX 2 COMPLIANCE METHOD NAC PROPOSED IS ‘LEGALLY INDEFENSIBLE’

Aviation Attorney Steven Taber is talking to several individuals and organizations that might be interested in challenging the method recommended to the Federal Aviation Administration by the RTCA NextGen Advisory Committee (NAC) for complying with the “CatEx 2” provision of the FAA Modernization and Reform Act of 2012.

Taber told ANR he is not currently representing anyone who might challenge the CatEx 2 provision and he stressed “there is a long way to go before any legal challenge would be realized.”

FAA is in the process of evaluating the “Net Noise Reduction Method” for complying with CatEx 2, which was developed by a Task Group of the NAC and approved and forwarded to the agency by the full NAC in June (25 ANR 74). Any method for complying with CatEx 2 would not be ripe for legal challenge until the agency formally adopted it.

The CatEx2 provision is intended to categorically exempt from environmental review any performance-based navigation procedure (RNAV and RNP) that “would result in measureable reductions in fuel consumption, carbon dioxide emissions,

(Continued on p. 120)

In This Issue...

Research ... FAA’s new Center of Excellence for Alternative Jet Fuels and the Environment will be headed by Washington State University and MIT, Secretary of Transportation Foxx announces - p. 118

CatEx 2 ... ‘Legally indefensible’ is how attorney Steven Taber describes the method developed by NAC Task Group for complying with CatEx 2 provision of FAA Modernization and Reform Act; FAA is in the process of evaluating it - p. 118

DFW Int’l ... Irving City Council approves zoning change that allows developer to build over 600 homes near two runways - p. 119

Centennial ... Installation of 12 B&K noise monitors expected to be completed this month - p. 119

Conferences ... Topics on agenda for 2014 UC Davis Aviation Noise and Air Quality Symposium announced - p. 121

Research, from p. 118

paign, the University of Pennsylvania, the University of Washington, Missouri University of Science and Technology, Georgia Institute of Technology, Pennsylvania State University, Stanford University, the University of Hawaii, the University of North Carolina at Chapel Hill and the University of Tennessee.

Research and development efforts by the team will focus on NextGen environmental goals for noise, air quality, climate change and energy. Areas of study will include new aircraft technologies and sustainable alternative aviation jet fuels.

The FAA's COE program is a cost-sharing research partnership between academia, industry and the federal government. The FAA anticipates providing this COE with \$4 million a year for each of the 10 years of the program.

The selected university members all have nationally recognized collegiate environmental and aviation-related education programs. Research projects will be performed through a partnership of senior scientists from these universities. The COE universities also will engage both graduate-level and undergraduate students in their research activities.

"The FAA continues its goal to improve National Airspace System energy efficiency by at least two percent per year, and to develop and deploy alternative jet fuels for commercial aviation, with a target of one billion gallons of alternate jet fuel in use by 2018," said FAA Administrator Michael Huerta. "This Center of Excellence is a valuable tool to provide the critical data we need to reach these goals."

The COE industry and other organizational partners include: Aerodyne Research, Airbus/EADS, Alaska Airlines, Boeing, Cathay Pacific Airways, Clean Energy Trust, CSSI, Delta Air Lines, General Electric Aircraft Engines, Gevo, Gulfstream, Harris Miller Miller & Hanson, Honeywell UOP, InnovaTek, KiOr, LanzaTech, Metron Aviation, NREL – National Bioenergy Center, PNNL, Rolls Royce, SAFRAN, U.S. DoD – AFRL (Wright Patterson Air Force Base), UTRC (Pratt and Whitney), Weyerhaeuser, Wyle Laboratories and ZeaChem.

Centennial Airport**NOISE MONITOR INSTALLATION TO BE COMPLETED IN SEPTEMBER**

This month, Centennial Airport – the third busiest general aviation airport in the U.S., located 13 miles from downtown Denver – expects to complete the installation of airport noise monitors.

Brüel & Kjær is the vendor for the monitors, which will be used in conjunction with the airport's radar data to provide a complete picture of the noise impact on the community, Scott Drexler, Centennial's noise and planning specialist, told ANR.

Some 12 noise monitors (six each in Arapahoe and Douglas Counties) are being installed under a \$1.5 million Federal Aviation Administration Airport Improvement Program grant. The airport's share is \$75,000.

The Arapahoe County Public Airport Authority began site selection in 2009. Five monitors, all solar-powered, already have been installed and the airport recently received clearance to install the remaining seven monitors.

"It will give us the capability to measure the actual noise of aircraft departing from and arriving at the airport," Michael Fronapfel, deputy director of planning and development for Centennial Airport, told the local press.

"Having a noise system is not necessarily a requirement; however it's one of the things the FAA is willing to fund to assist airports with addressing some of the noise impacts on the community."

Fronapfel said the noise monitoring sites were selected to provide a broad representation of flight paths into the airport and areas where the airport has received noise complaints in the past.

"This study allows us to be able to go back to the FAA and say if a particular route is problematic for us," Fronapfel said. "It's good to have a historical picture of where we are making improvements or if we are going in the wrong direction."

Dallas-Ft. Worth Int'l**IRVING CITY COUNCIL APPROVES NEW HOMES NEXT TO RUNWAYS**

The Irving, TX, City Council on Sept. 4 approved a zoning change that allows a developer to build over 600 new homes next to two runways at Dallas-Ft. Worth International Airport.

Around 140 to 150 of the new homes will be within DFW's 65 DNL contour.

The proposed housing development is located only 0.6 miles from the end of DFW's Runway 17L. The nearest houses will be 500 feet laterally from the runway's final approach corridor. The proposed development also is only 0.3 miles from DFW's Runway 13L/31R, David Magana, DFW's senior manager for public affairs, told ANR.

The northern boundary of the proposed development borders Texas State Highway 114, which is a major six-lane freeway connecting Dallas to its northwest suburbs of Irving and Coppell, as well as to DFW Airport.

The housing development also will be situated near a 24-7 freight handling facility.

Irving's Planning and Zoning Commission voted to oppose the zoning change from "airport industrial" to "residential" at its July 15 meeting in light of DFW's concerns about the high noise impact the homeowners would experience.

Sandy Lancaster, DFW's assistant vice president for environmental affairs, told the Planning and Zoning Commission

that it is not unusual to have as many as 150 daily arrivals within 550 feet of the area where the homes will be built and that aircraft will be on final approach as low as 200 feet above ground.

In addition to overflight noise, homeowners also will be subject to noise from thrust reversers upon landing and from engine maintenance run-ups, which are typically done at night, Lancaster explained.

She told the Commission that, if the City of Irving wanted to approved the residential development so near the airport, it should require the developer to sound insulate the homes to reduce the indoor noise level by at least 25 dB from the outdoor level; require that avigation easements be obtained; and require public disclose to potential home buyers of the property's location near the runways.

Because the developer agreed to those conditions, the Irving City Council approved the zoning change allowing the residential development.

A representative of the developer – Houston-based Hines Interests L.P.; one of the largest real estate development companies in the world – told the City Council that it will use extra insulation double-paned windows, solid core doors, and extra insulation in the attics, which would easily provide the 25 dB DNL reduction between inside and outside noise levels.

A representative of Forward Air, the freight company, told the Planning and Zoning Commission that the firm opposed the land use change from airport industrial to residential use for several reasons, one being inconsistent land use with the surrounding zoning and development. He also said the firm had safety concerns about mixing 24-hour truck traffic with automobiles and that the freight company had picked its location so that the company's operations would not infringe on residents.

He also expressed concerned about the impact of lighting of the facility on the residential development.

The home-builder agreed to install vegetative screening and walls to address those concerns.

CatEx 2, from p. 118

and noise, on a per flight basis, as compared to aircraft operations that follow existing instrument flight rules procedures in the same airspace.”

CatEx 2 is intended to speed the implementation of RNAV/RNP procedures at airports around the country so that the benefits of these advanced satellite-based procedures – mainly reduced fuel burn and emissions – can begin to accrue. Environmental reviews of such procedures could take years to complete and defend and delay their introduction.

But the lack of environmental review has outraged communities that have had RNAV/RNP procedures, which concentrate flight paths into pin-point-tight corridors, moved over them. They are demanding that FAA analyze the noise impact of PBN procedures with single-event noise metrics and in areas beyond the 65 dB DNL contour line.

FAA had a problem in developing a method to comply with CatEx 2: it could not stay within the language of the statute, which requires noise reductions from PBN procedures to be measured ‘*on a per flight basis*’ and still use its preferred DNL noise metric, which does not measure noise on a per flight basis but aggregates it over time and numbers of aircraft operations.

The NAC Task Group found a solution to this problem. While the language in the legislation required noise to be measured ‘*on a per flight basis*,’ language in the Conference Report accompanying the legislation referred to noise reduction “*on an average per flight basis*.”

The Task Group said that the language in the Conference Report allowed it to develop a method of determining compliance with CatEx 2 that is based on DNL and “allows for averaging the noise impact on a representative basis over flights undertaking a particular procedure.”

Language Is Not Defensible

But in a recent blog post, Taber – a former FAA attorney who now heads his own law firm, the Taber Law Group – asserted that the Task Force’s assumption that the language in the Conference Report could replace the language in the legislation is “legally indefensible.”

“If Congress meant ‘noise on an average per flight basis,’ it would have included the word ‘average’ in the statute instead of leaving it out ... The Task Group cannot read the word back into the statute without congressional action,” Taber asserted in his blog post. And he does not think it likely that a court would even consider the language in the Conference Report.

“... from a legal perspective, it is highly unlikely that a court would look past the clear and plain language of the statute to conclude that Congress meant to allow averaging the noise impact on a representative basis undertaking a particular procedure.

“This is a huge issue for the Subgroup, since the ‘Net Noise Reduction Method’ developed by the Task Group is dependent on using averaging. The desire to use averaging is based on the fact that the FAA and its noise consultants have been using DNL as their noise metric since the 1970’s. To change to a single-event noise level, as indicated by the statute, would call into question the existing regulatory structure that the FAA has in place to measure and (poorly) regulate aircraft noise.

“In the end, if neither the FAA nor the Task Group can come up with an approach that fits with the plain language of the statute, then the statute must be changed. Just because the statutory language does not fit in the FAA’s and the Subgroup’s noise metrics Procrustean Bed, the Task Group cannot blithely assume away the difficulty presented by the language of CatEx 2,” Taber wrote.

He said another problem with the Net Noise Reduction Method for complying with CatEx 2 is that it does not address noise at levels below 45 DNL.

In light of the U.S. Court of Appeals for the D.C. Cir-

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cuit's recent ruling in *Helicopter Association International v. FAA* (25 ANR 86), which held that it was acceptable for the FAA to require the use of flight paths to reduce noise impacts below 45 DNL, "it would stand to reason that any method developed to implement CatEx 2 should include levels below 45 DNL," Taber wrote.

His blog post is at <http://airportlaw.wordpress.com/2013/08/12/rtcas-paper-on-catex-2-for-nextgen-implementation-is-legally-indefensible/#/>

ANR asked Nancy Young, vice president, environmental affairs for Airlines for America (A4A), who served as co-chair of the NAC Task Group that developed the CatEx 2 recommendation, to respond to Taber's criticism of the compliance method developed by her Task Group.

Young did plan to respond but ANR did not receive her response by deadline. It will be included in next week's issue.

In Brief...

UC Davis Symposium Announced

The annual UC Davis Aviation Noise and Air Quality symposium returns to Palm Springs, CA, on Feb. 23-26, 2014, with "game-changing" offerings on critical topics for airport staff including :

- Performance-Based Navigation
- FAA's Noise Research Roadmap
- NextGen & NEPA
- Alternative Aviation Fuels
- General Aviation Noise Issues
- Fuel Consumption, Local Air Quality & GHG
- Finding & Using Products of COEs
- Sound Insulation: Community Perspectives
- Conducting NEPA Studies
- Highlights from the ACRP
- Health Risk Assessments
- CLEEN

In addition there will be a Noise 101 Tutorial on Sunday afternoon, Feb. 23, 2014, and a new Tools Showcase & Demos presentation on Wednesday, Feb. 26, 2014.

You can explore details of the symposium location and vote for your favorite 2014 Walt Gillfillan Award recipient at the symposium website:

<https://sites.google.com/site/ucdavisaviation/innovative-game-changing-solutions>

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 31

September 20, 2013

FAA Environmental Order

NY REPS ASK FAA TO EXEMPT PBN AT JFK, LAGUARDIA FROM FROM CATEX 1 AND 2

Performance-based navigation procedures implemented at JFK and LaGuardia airports should be exempt from the new categorical exclusions from environmental review included in a draft update to FAA's environmental order, three New York congressional representatives told FAA Administrator Michael Huerta in a Sept. 16 letter.

The categorical exclusions "further solidify our constituents view that the FAA is unconcerned with the effect of airplane noise on their wellbeing," wrote NY Reps. Steve Israel (D) Grace Meng (D), and Joseph Crowley (D).

"For example, many feel that the FAA set a bad precedent by not conducting an environmental study of the TNNIS IV climb, a procedure permanently implemented at the beginning of the year. The FAA should be focused on ensuring changes made to existing procedures and routes do not negatively affect the people who live around these airports not making it easier to avoid studying their potentially negative impacts," they told Huerta.

(Continued on p. 123)

CatEx 2

YOUNG REFUTES ASSERTION THAT CATEX 2 COMPLIANCE METHOD IS LEGALLY FLAWED

The co-chair of the NextGen Advisory Committee task group that developed a method to comply with the so-called "CatEx 2" provision of the FAA Modernization and Reform Act has refuted an assertion by a former FAA attorney that the method is "legally indefensible."

The method developed by the CatEx 2 task group to implement Section 213(c)(2) of the FAA Reauthorization Act "is an important, technically and legally sound way forward in implementing the direction of Congress to facilitate approval of new procedures under NextGen," Nancy Young, co-chair of the task group and vice president, environmental affairs for Airlines for America, told ANR.

"We are proud that the NextGen Advisory Committee unanimously approved the recommendation," Young said.

Steven Taber, who now has his own law firm, the Taber Law Group but earlier worked for FAA, argued that the task group's assumption that it could use language in the Conference Report on the FAA Reauthorization Act to replace language in the legislation is not defensible legally (25 ANR 118).

It's an important issue because Taber is talking to several parties that may be in-

(Continued on p. 124)

In This Issue...

FAA Environmental Order

... Three NY congressional representatives ask FAA Administrator to exempt PBN operations at JFK, LaGuardia from new categorical exemptions (Catex1 and 2) contained in draft update to FAA environmental order - p. 122

CatEx 2 ... Co-chair of NAC task group that developed a method to comply with the new "CatEx 2" provision of FAA Modernization and Reform Act, refutes assertion that it is "legally indefensible" - p. 122

FAA ... Agency issues policy on rates and charges to clarify revisions that have been made to it over time; reasonable environmental costs are addressed - p. 123

John Wayne Airport ...

Landrum & Brown will do the noise analysis in an EIR on alternatives for extending 1985 Settlement Agreement which imposes noise curfew, limits on numbers of daily commercial, cargo operations - p. 124

Env. Order, from p. 122

Since mid-2012, the three congressional representatives, joined by state and local officials representing the Queens Borough of New York City, have lambasted the FAA for not notifying them prior to conducting a six-month test of the TNNIS IV climb, an RNAV departure procedure from LaGuardia designed to reduce traffic conflicts with JFK arrivals.

The lawmakers and local politicians have been demanding that the FAA conduct an environmental assessment of the TNNIS IV climb, which the FAA excluded from environmental review under its current Environmental Order 1050.1E.

The draft update of the Order (1050.1F), which FAA is seeking public comment on, includes two new categorical exclusions from environmental review (dubbed CatEx 1 and 2) that were enacted by Congress in Section 213(c) of the FAA Modernization and Reform Act of 2012.

The three NY congressional representatives asserted in their letter to the FAA Administrator that the Act allows him to declare that categorical exclusions do not apply to NextGen procedures if he determines that “extraordinary circumstances” exist with regard to them.

Extraordinary Circumstances Exist

They argued that the following “extraordinary circumstances” would exist with NextGen procedures implemented at LaGuardia and JFK airports:

- New York City has the most congested airspace in the country;
- The complexity of NextGen implementation combined with the Air Space Redesign introduces unique environmental and community noise considerations;
- The large population affected in New York City and Long Island;
- The proximity of three major airports; and
- The ongoing demands on our community for a full environmental review of previous changes.

According to the FAA, they wrote, categorical exclusions “represent actions that the FAA has found, based on past experience with similar actions, do not normally require an EA or EIS because they do not individually or cumulatively have a significant effect on the human environment.”

“We believe that the indiscriminate application of [FAA Order 1050.1F] precludes consideration of exceptions that are similar to past actions that have unquestionably created notable effects on our constituents. To continue implementing these policies without a conscientious review of their effects constitutes turning a blind eye to the many points we and our constituents have raised in the past.”

Rep. Meng said in a statement separate from the letter, “It is outrageous that the FAA is seeking greater leeway to exempt itself from vital environmental studies which determine whether or not new airplane routes – and the accompanying noise – adversely impact affected communities.

“The agency’s plan to further sidestep this critical process is a slap in the face to all who live and work underneath new

flight patterns, and it is imperative that the FAA abandon its intention to proceed with it. Queens must not be further impacted by additional flight patterns that the FAA may seek to impose over the borough without examining the potential noise burden they might cause.”

The letter will be submitted to the FAA docket on its Draft Environmental Order 1050.1F (go to www.regulations.gov and search for “FAA-2013-0685”).

Airports Seek Extension of Comment Period

The Airports Council International – North America requested that FAA extend the public comment period on the draft update to its environmental order by 14 days (until Aug. 14).

In a Sept. 16 letter, ACI-NA told FAA that an initial review of the draft Order “has produced a significant number of potential concerns and questions from our members, and more time is needed to consider these issues and come to consensus.”

Also, the draft Order “differs significantly in its organizational structure from Order 1050.1E, which adds a layer of complexity to our review process,” Katherine Preston, ACI-NA’s senior director, environmental affairs, explained.

She also noted that the comment period, which currently ends on Sept. 30, occurs at a time that is extremely busy for airports.

FAA**POLICY ON RATES, CHARGES PUBLISHED TO CLARIFY CHANGES**

On Sept. 10, the Federal Aviation Administration published its entire Policy Regarding Airport Rates and Charges to reflect, in one document, all the additions and deletions to the policy that have occurred since it was first published in June 1996.

The FAA stressed that it is not adopting or proposing any new amendments to its Policy on Airport Rates and Charges in this action. It is simply clarifying for the public what the policy is.

Section 2.4.2 of the Policy states, “Airport proprietors may include reasonable environmental costs in the rate base [of their rates and charges] to the extent that the airport proprietor incurs a corresponding actual expense ... Reasonable environmental costs include, but are not necessarily limited to, the following:

(a) The costs of investigating and remediating environmental contamination caused by airfield operations at the airport at least to the extent that such investigation or remediation is required by or consistent with local, state or Federal environmental law, and to the extent such requirements are applied to other similarly situated enterprises.

(b) The cost of mitigating the environmental impact of an airport development project (if the development project is one

for which costs may be included in the rate base), at least to the extent that these costs are incurred in order to secure necessary approvals for such projects, including but not limited to approvals under the National Environmental Policy Act and similar state statutes.

(c) The costs of aircraft noise abatement and mitigation measures, both on and off the airport, including but not limited to land acquisition and acoustical insulation expenses, to the extent that such measures are undertaken as part of a comprehensive and publicly-disclosed airport noise compatibility program; and

(d) The costs of insuring against future liability for environmental contamination caused by current airfield activities. Under this provision, the costs of self-insurance may be included in the rate base only to the extent that they are incurred pursuant to a self-insurance program that conforms to applicable standards for self-insurance practices.

FAA's *Federal Register* notice, which includes the entire Policy is at <http://www.gpo.gov/fdsys/pkg/FR-2013-09-10/pdf/2013-21905.pdf>

For further information, contact Randall S. Fiertz, director of FAA's Office of Airport Compliance and Management Analysis; tel: (202) 267-3085; e-mail: Randall.Fiertz@faa.gov.

CatEx 2, from p. 122

interested in challenging the task group's method, which is currently under FAA review and allows the agency to use its DNL noise metric, which averages noise exposure over time and operations, to determine if RNAV/RNP procedures can be given a categorical exclusion (CatEx) from environmental review.

In defense of the task group's recommendation, Young noted the following:

- Section 213(c)(2) of the statute expressly states that what constitutes a measurable reduction in noise "*on a per flight basis*" is to be made "*in the determination of the Administrator.*" The fair reading of that language is that Congress has delegated to the FAA the authority to interpret and apply this language in the act.

- The terminology "*on a per flight basis*" is not a defined term in the statute. Nor is it a phrase familiar in common, everyday usage. As such, Congress has not "*directly spoken to the precise question at issue*" and any permissible FAA interpretation is entitled to deference, if it has a reasoned basis. *Chevron v. NRDC*, 467 U.S. 837, 842 (1984). Accordingly, it is entirely appropriate for the FAA to apply its existing understanding and interpretations of noise metrics to give effect to the intent of Congress.

- It is inaccurate to say that measurable noise reduction "*on a per flight basis*" is capable of only one meaning and must be read to mean reduction based "*on a single event noise level.*"

- The assertion that measurement of noise "*per flight*" can

be based on a single event is nonsensical. There is no single event noise level that occurs during the course of any flight, but a multitude of noise events that cannot rationally be measured without the use of averaging. Further, Section 213(c)(2) calls for assessment of noise exposure as occasioned by the proposed performance-based navigation (PBN) procedure as compared to that occasioned by the existing flight procedure. There is no single event noise level that occurs during the course of executing any flight procedure.

- Section 213(c)(2) also requires FAA determinations on emissions and fuel burn "*on a per flight basis.*" One would assume that FAA will be doing calculations such that they will not compare the emissions and fuel burn on each, individual flight under an existing procedure with the emissions from each, individual flight under a new PBN procedure. Rather, one would presume that FAA will calculate the emissions and fuel burn on all flights on each procedure, on a representative basis, and then compare the results averaged across the total number of flights.

- The first rule of statutory construction is to give effect to the intent of Congress and it must be assumed that Congress intended any noise reduction analysis to be "*representative*" of the flights in question.

- Congress must be presumed to have known that there is no single event noise level that occurs during the course of any flight, as well as the fact that prior aviation noise metrics have consistently applied averaging. In that regard, it is not necessary to resort to the legislative history to conclude that Congress was aware that averaging would be part of an acceptable noise reduction calculus, though the Conference Report does serve to confirm that common sense conclusion.

- Moreover, as the agency charged with responsibility for developing and applying aviation-related noise metrics, the FAA acts within the scope of its authority when it seeks input from expert organizations and stakeholders like the RTCA/CatEx 2 group, particularly where the subject matter is technical and the relevant considerations are complex and extensive.

John Wayne Airport

L&B TO DO NOISE ANALYSIS IN EIR ON EXTENSION OF SETTLEMENT

At its Sept. 10 meeting, the Orange County Board of Supervisors approved agreements with five consulting firms that will prepare an Environmental Impact Report (EIR) for proposed amendments to the John Wayne Airport Settlement Agreement.

Landrum & Brown will conduct the noise analysis for the EIR.

The 1985 Settlement Agreement, set to expire at the end of 2015, imposes a noise-based curfew at the airport and limits on daily cargo and passenger operations, which are considered among the most stringent in the country.

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In March, the parties to the 1985 Settlement Agreement – Orange County, the City of Newport Beach, the Airport Working Group, and Stop Polluting Our Newport – agreed to extend the Settlement to 2035 as outlined below and that these stipulations should comprise the “proposed project” that will be studied pursuant to the California Environmental Quality Act (CEQA):

- Protection and extension of the noise-based curfew for another 22 years, through 2035 - no commercial departures before 7:00 a.m. Monday-Saturday or before 8:00 a.m. on Sunday and no arrivals after 11:00 p.m.

- Maintain the “million annual passenger” cap (MAP CAP) of 10.8 MAP for another eight years through 2020, with an additional 1.0 MAP allowed in 2021-2025. During the period of 2026-2030, an additional 0.7 MAP may be allowed if JWA’s use shows at least 11.21 MAP in any calendar year during 2021-2025. If the 11.21 MAP trigger is not reached, then only an additional 0.4 MAP would be authorized between 2026 and 2030.

- Maintain the cap on Average Daily Departures (ADDs) of the Class A (loudest) commercial air carriers of 85 passenger flights plus four cargo flights per day for another eight years, through 2020, with an additional 10 Class A passenger ADDs (no new cargo flights) for a total of 95 Class A passenger flights annually starting in 2021 through the end of 2030.

The EIR also will consider three alternatives to the proposed project:

- Alternative A is based on information contained in FAA’s 2013 Terminal Area Forecast for the airport. Like the proposed project, it would extend the curfew through 2035 but would allow the annual passenger limit to reach 12.8 MAP by the end of 2030.

- Alternative B was based on input from the airlines operating at JWA. It also would extend the curfew through 2035 but would allow the annual passenger limit to increase to 15.0 MAP by the end of 2030.

- Alternative C was based on the physical capacity of the airport. It would only extend the curfew through the end of 2020 and would allow the annual passenger limit to increase to 16.9 MAP by the end of 2030.

The first step in the environmental review process will be the issuance of a Notice of Preparation (NOP) in October. The NOP is intended to notify specific parties that an EIR is being prepared. It includes a description and the location of the project as well as probable environmental effects of the project.

A Draft EIR presenting the results of the environmental analysis is expected to be published in the first quarter of 2014 and will be available for public review and comment. Following the public comment period, the Draft EIR is scheduled to be presented to the Board of Supervisors for its consideration in the summer of 2014.

The Federal Aviation Administration must agree to the terms of the Settlement Agreement extension.

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 32

September 27, 2013

Environmental Review

COMMUNITY GROUPS OPPOSE NEW CATEX'S IN UPDATE TO FAA ENVIRONMENTAL ORDER

The New Coalition Against Aircraft Noise (NJCAAN), which represents citizens in 18 New Jersey Counties, told the Federal Aviation Administration that it is opposed to the implementation of NextGen procedures through the use of categorical exclusions (CatEx) from environmental review, including those found in Section 213 of the FAA Modernization and Reform Act of 2012, which have been incorporated into a draft update of FAA's Environmental Order.

"We believe that this represents very poor public policy by the FAA to circumvent the requirements of disclosure and public comment found in the National Environmental Policy Act," NJCAAN President Robert Belzer told FAA in Sept. 21 comments.

The North Tempe Neighborhood Association (NTNA) agreed. The association, which represents 1,600 residences near Phoenix Sky Harbor International Airport, told the FAA that the new CatEx's added to the FAA Draft Order Order 1050.1F "give a free pass to changes in air traffic procedures, which can negatively affect

(Continued on p. 127)

Helicopters

FAA UNLIKELY TO ISSUE NOISE MITIGATION PLAN BY TIME SENATOR MENENDEZ EXPECTS

NJ Sen. Robert Menendez (D) and Rep. Albio Sires (D) want to ensure that the Federal Aviation Administration abides by the timeframe they say the agency committed to for presenting a plan to mitigate the noise impact of helicopter tourism flights on residents on the New Jersey side of the Hudson River.

However, it appears unlikely that FAA will issue its plan within the timeframe the senator and congressman believe FAA Eastern Regional Administrator Carmine Gallo had promised to meet at an Aug. 27 symposium FAA held on the helicopter noise problem.

In a Sept. 23 letter to Gallo, Menendez and Sires wrote: "We appreciate your promise to – within a month of the Aug. 27th symposium – present a plan that could be swiftly implemented that will involve helicopter flight restrictions including fewer flights as well as keeping flight further from shore, higher in altitude, and with strict adherence to time constraints while keeping public safety as a paramount concern. We want to offer you any help you should need to ensure we adhere to this timeframe.

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FAA Environmental Order

... Community groups tell FAA they oppose categorical exemptions from environmental review for RNAV and RNP procedures, new and modified helicopter routes over major thoroughfares included in draft update of FAA environmental order 1050.1E - p. 126

Helicopters ... FAA not likely to meet timeframe Sen. Menendez believes agency committed to for issuing plan to mitigate noise from helicopter tour operations on NJ residents - p. 126

Biz Jets ... FAA rule banning operations of Stage 1, 2 jets under 75,000 lb. at end of 2015 will not be amended in light of docket comments, agency says - p. 128

Aircraft ... New Bombardier CSeries aircraft powered by P&W geared turbofan engines makes its maiden flight; engines slash noise footprint by up to 75 percent compared to existing turbofan engines - p. 129

Env. Order, from p. 126

our residences ... We support the FAA's efforts to modernize flight procedures and to reduce fuel consumption. However, it is not fair that changes, which could negatively impact our residents by concentrating the impacts of both noise and air pollution on some NTNA residents, would not even include the recourse of adequate knowledge about the problems, which can be provided by NEPA review."

The Los Angeles Area Helicopter Noise Coalition (LAAHNC), which represents nine neighborhood and homeowners associations across Los Angeles County, and Homeowners of Encino opposed CatExes in the draft order that exempt from environmental review the establishment and modification of helicopter routes that channel helicopter activity over major thoroughfares.

Such CatEx's "are overly broad and will result in a significant increase in noise on residents living near freeways," Homeowners of Encino wrote.

LAAHNC said the footprint of most helicopter noise far exceeds the perimeter of thoroughfares and frequently extends into neighborhoods to either side of the thoroughfares."

The group also told FAA that the threshold it uses to determine significant noise impact (an increase of 1.5 dB DNL or more for a noise sensitive area that is exposed to noise at or above 65 dB DNL) is inadequate for helicopter noise impact, which begins to interfere with speech at 60 dB max.

"Moreover, DNL should not be the metric used to measure helicopter noise impacts to neighborhoods. Instead, since speech interference and sleep disturbance are common impacts of helicopter noise, use of the metrics referenced in existing Environmental Order 1050.1E, 14.5 f would be more appropriate (SEL, Lmax, Leq, Time Above, etc).," the group told FAA.

The citizens groups' comments were submitted to a docket FAA set up to receive public input on the draft update to its Environmental Order (go to www.regulations.gov and search for "FAA-2013-0685"). The draft update is dubbed Order 1050.1F.

It includes the so-called "CatEx 1" and CatEx 2" categorical exemptions included in the FAA Modernization and Reform Act, which are intended to accelerate the implementation of NextGen RNAV and RNP procedures at U.S. airports.

NJCAAN Comments

Regarding the implementation of RNAV and RNP procedures, NJCAAN told FAA that it "can be assured that compressing flight patterns in the terminal airspace over densely populated residential areas will generate an extreme negative public reaction such as that for the new LaGuardia departure procedures affecting the residential communities in Queens and Long Island, NY. This is a foregone conclusion and should be avoided at all costs. It is flawed Public policy."

FAA's draft order describes CatEx 1 and 2 as "legislative Cat Ex's," NJCAAN noted, but asserted that "the recent leg-

islation only created a legal presumption and did not establish a new Cat Ex."

NJCAAN argued that Council on Environmental (CEQ) rules "require a justification statement for each new Cat Ex and a consultation with CEQ, neither of which appears to have been done. The FAA justification document gives no justification other than a claim of a legislative Cat Ex. The FAA also recently claimed that these Cat Ex's have no minimum altitude restrictions ... In effect, the FAA is claiming a complete exemption from CEQ's NEPA requirements."

Further, NJCAAN argued, CEQ policy guidance for establishing a Cat Ex states that they are only appropriate for "a proposed activity that, on the basis of past experience, normally does not require further environmental review."

But the community group stressed that FAA prepared an Environmental Assessment for each terminal airspace project it recently implemented under the agency's Optimization of Airspace and Procedures in the Metroplex (OAPM) effort, which is putting integrated NextGen capabilities (RNAV/RNP procedures) in place to improve air traffic flow for entire regions, or metroplexes.

"With this precedent, CEQ guidance precludes consideration of a Cat Ex for RNAV/RNP in a terminal airspace," NJCAAN contended.

Desk Reference Not Available

NJCAAN also noted FAA's current Environmental Order 1050.1E has an Appendix A which includes the specific rules for evaluating noise impacts. But the new draft Order 1050.1F indicates that Appendix A is now in a separate new document – the "Environmental Desk Reference."

"A NJCAAN board member requested this section and was informed that it would not be available until the final order is released. We believe that this is not proper policy since the section cannot be commented on by the Public. Please make this section available for Public comment," NJCAAN wrote.

In separate comments to the FAA docket, Michael Kroposki, who sits on the NJCAAN Board and is a former corporate attorney, told the agency that the comment period on the draft environmental order should be extended until the Desk Reference is made available.

Kroposki told FAA that other important issues that should be addressed in the draft update to its environmental order but are not mentioned are:

- Lowering the 65dB level of noise significance. Current research on health impact of noise does not support the 65dB level, he argued;
- Whether the annual average DNL is appropriate with the RNAV/RNP procedures given their effect of focusing noise on the ground. "I believe the Clean Air rules use a peak month impact assessment instead of an annual average number," Kroposki said;
- Whether the current use of the Integrated Noise Model (INM) and the Aviation Environmental Design Tool (AEDT) in determining a 1.5dB increase in DNL has "scientific in-

tegrity” as required for NEPA documentation.

“The level of uncertainty in the INM and AEDT output is +/- 3-5dB according to a recent FAA statement,” Kroposki noted.

“The AEDT uncertainty assessment has been held up for more than one year based upon what appears to be lack of functionality to accurately determine DNL. With this high level of uncertainty and lack of established scientific integrity in the methodology, it appears that the level of significance in the draft order for noise increases of 1.5dB is not able to be accurately provided by the methodology under current circumstances and must be reconsidered,” Kroposki wrote.

To date, over 165 comments have been submitted of FAA on the draft update to its environmental order. The majority are from individual citizens, mostly from the New York City metropolitan area.

The Airports Council International - North America (ACI-NA) has requested an extension of the comment period from Sept. 30 to Aug. 14.

In its request for the extension, ACI-NA noted that the draft update to Order 1050.1E “has produced a significant number of potential concerns and questions from our members and more time is needed to consider these issues and come to consensus.”

The FAA has not yet indicated yet whether it will extend the comment period.

Regulations

BAN ON STAGE 1, 2 JETS UNDER 75,000 LB WILL NOT BE AMENDED

Comments on a final rule that bans operation of Stage 1 and 2 aircraft under 75,000 lb. (mainly business jets) in the United States at the end of 2015 have not persuaded the Federal Aviation Administration to amend the rule, the agency said Sept. 20.

On July 2, the FAA published the final rule, which amended airplane operating regulations to include provisions of the FAA Modernization and Report Act of 2012 that mandated a ban on operations of non-Stage 3 aircraft under 75,000 lb. as of Dec. 31, 2015 (25 ANR 86).

The FAA solicited comment on its final rule even though the agency was not required to do so.

Only one comment was received. General Electric Corp. informed the agency that a hushkit modification is available for the 69 Dassault Falcon 20 model airplanes operating in the United States that will allow them to meet Stage 3 noise standards. FAA’s estimates of hushkitable aircraft did not include the Falcon 20 kit.

GE’s information changes FAA’s estimate of the number of aircraft affected by the final rule that can be hushkitted but FAA said it does not intend to amend the final rule in light of the new information.

Helicopters, from p. 126

“Both of us agree with your recommendation to hold a smaller stakeholders’ meeting before Oct. 18 to discuss your plan to implement the recommendations. We will be happy to host this meeting at the Office of U.S. Senator Robert Menendez in Newark, NJ.”

ANR asked FAA’s Eastern Region Office if it would issue its helicopter noise mitigation plan and hold a stakeholders’ meeting by the dates mentioned in the letter from Menendez and Sires.

FAA sent the following reply:

“The Federal Aviation Administration (FAA) sponsored a symposium at Teterboro Airport on August 27 on how helicopters operate when they are flying over the New Jersey communities that line the Hudson River or over the river itself.

“The program’s goal was to help elected officials and residents of those communities to better understand the rules that govern helicopter flights, especially the ones that air tour helicopters must follow when flying in the Hudson River Special Flight Rule Area. It also was an opportunity for industry representatives to explain how they operate when flying over the river.

“As a next step the FAA has asked symposium participants for their individual recommendations to resolve their concerns and issues. The FAA will review the recommendations submitted for safety, efficiency, and technical feasibility. Prior to implementing any procedural change, the FAA will conduct a National Environmental Policy Act (NEPA) review.”

Absent from FAA’s statement is any commitment to meeting the timeframe that Sen. Menendez noted in his letter to Gallo for issuing a helicopter noise mitigation plan.

‘Symposium Must Lead to Action’

Following the Sept. 27 symposium, Sen. Menendez and Rep. Sires thanked FAA’s Gallo for making good on his promise to hold a symposium on tourist helicopter flights as a step toward remedying the impact of tourist helicopters on New Jersey residents.

But they stressed that the symposium “must lead to action that ensures the public’s interests are held in higher priority than commercial interests. This time to act is now, before a tragedy strikes.”

The symposium was held at Teterboro Airport. It was requested by Sen. Menendez and Rep. Sires following a meeting of local residents, officials, and FAA officials at the end of July. Among the nuisances reported at that meeting were windows rattling at day care centers, helicopter noise heard at 10:45 p.m., and tourist helicopters flying at altitudes half as low as they fly in New York City.

The Aug. 27 symposium brought together a variety of aviation experts and stakeholders including FAA officials, representatives of tourist helicopter trade industry, law enforcement, and a representative of the New York City Eco-

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conomic Development Corporation, and Chairman of Eastern Region Helicopter Council Jeff Smith. Many New Jersey residents attended, as well.

Among the recommendations made to the FAA by Sen. Menendez, Rep. Sires and the elected officials that represent the Hudson River waterfront were: requiring helicopters fly higher and further away from the New Jersey banks of the Hudson River, requiring helicopters to fly less frequently, improving the monitoring of flights over the Hudson River, and providing better helicopter flight security.

Among the other elected officials present were Hoboken Mayor Dawn Zimmer, Guttenberg Mayor Gerry Drascheff, Weehawken Mayor Richard Turner, West New York Commissioner Carridad Rodriguez, Hoboken Councilwoman Beth Mason, Hudson County Freeholder Chairman Anthony Romano.

Aircraft

BOMBARDIER'S NEW QUIET C-SERIES AIRCRAFT MAKES ITS MAIDEN FLIGHT

Bombardier's new C-Series airplane, powered by Pratt & Whitney's new PurePower geared turbofan engine, made its maiden flight on Sept. 16.

The PW1500G engine, which achieved engine certification from Transport Canada in February, is the first of six new engine programs using Pratt & Whitney's Geared Turbofan™ architecture to power an aircraft.

"The C-Series aircraft's maiden flight is an outstanding milestone for us – and the PW1500G engine is an integral part of today's success," said Rob Dewar, vice president, C-Series, Bombardier Commercial Aircraft.

"The PurePower engine technology fits extremely well with the innovative aircraft that we are bringing to market. We look forward to our continued collaboration on this industry-changing aircraft."

"We congratulate Bombardier on the C-Series aircraft's historic first flight and we're proud to be powering the aircraft – the first 'next generation' and all-new airplane to enter the single-aisle market segment," said Dave Brantner, president, Pratt & Whitney Commercial Engines.

"Our PW1500G will improve engine fuel efficiency by 16 percent and reduce airline engine operating costs by up to 20 percent. The PurePower engine slashes noise footprints by up to 75 percent compared to existing turbofan engines."

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 33

October 4, 2013

NextGen

NAC RANKS HIGHEST PRIORITY NEXTGEN PROJECTS; PBN IMPLEMENTATION IS NO. 1

The NextGen Advisory Committee (NAC) ranked implementation of Performance-Based Navigation procedures at the top of its list of six highest priority NextGen projects that the Federal Aviation Administration must move forward on regardless of future budget cuts.

In July, in light of budget pressures and possible sequestration impacts, FAA asked the NAC to review current agency plans and activities that have an effect on the implementation of NextGen and to develop a prioritized list of Tier 1 (consensus on activities that should continue no matter what) and Tier 2 (consensus on activities that should continue, resources permitting) recommendations.

Projects that made the Tier 1 list were deemed those judged highest in benefit and readiness that should be given full resources to achieve. Budget cuts should not affect these capabilities.

At its Sept. 19 meeting, the NAC approved a report, entitled "NextGen Prioritization," that ranked six NextGen projects as Tier 1 or highest priority. They focus on increasing airport capacity and reducing fuel burn and emissions through the use

(Continued on p. 131)

Research

PENN SLEEP RESEARCH TEAM WILL BE PART OF NEW FAA COE; READYING U.S. FIELD STUDY

A team of researchers from the Perelman School of Medicine at the University of Pennsylvania will study the impact of transportation noise on sleep under the Federal Aviation Administration's new Air Transportation Center of Excellence (COE) for alternative jet fuels and the environment.

The new COE, announced in September, will focus on meeting NextGen goals for noise, air quality, climate change, and energy (25 ANR 118).

Penn is one of 14 universities that will be core team partners in the new COE, which will be led by Washington State University and the Massachusetts Institute of Technology.

The FAA anticipates providing research funding for the entire Air Transportation COE with \$4 million a year over the next 10 years.

Penn's research team, led by Mathias Basner, MD, PhD, MSc, assistant professor of Sleep and Chronobiology, Department of Psychiatry at Penn, will focus on understanding the impact of aircraft noise on sleep and on developing models that predict sleep disruption for different aircraft noise levels and profiles.

Other members of Basner's sleep research team are David F. Dinges, PhD pro-

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NextGen ... The NextGen Advisory Committee ranks PBN implementation as the highest priority NextGen project that must move forward regardless of federal funding cuts - p. 130

Sleep ... A U.S. field study on the effects of aircraft noise on sleep, which will be conducted by a Penn Medical School research team, is expected to get underway in March 2014 - p. 130

Noise Monitoring ... The PANYNJ is in the process of transitioning to B&K's noise monitoring system and is considering adding additional noise monitors around its airports as requested by NY senators and congressional reps - p. 131

Grants ... Some 20 airports awarded a total of \$6.4 million for sustainability efforts; grants can be used for noise mitigation - p. 131

News Briefs ... Staff of FAA Office of Environment and Energy is furloughed - p. 133

NextGen, from p. 130

of PBN approach and departure procedures. The Tier 1 NextGen projects are:

- Performance-based Navigation (PBN), including large-scale airspace redesigns employing RNAV/RNP-AR procedures;
- Multiple Runway Operations – Reduced lateral separation standards for runways closer than 4,300 feet and 2,500 feet;
- Surface Operations – Data sharing on movement of surface aircraft traffic;
- Time Based Flow Management (TBFM) – Enroute and terminal metering/merging/spacing;
- Separation Management – Revise wake separation standards to improve throughput at capacity-constrained airports; and
- PBN at airport's in FAA's Optimization of Airspace and Procedures in the Metroplex (OAPM) effort.

The NAC report noted that “the aviation community has been actively involved and supportive of OAPM as indicated by the overall rating. In consideration of the importance of this initiative, it was placed in the Tier 1A list even though it was determined to be a Tier 2 capability.”

The NAC's NextGen Prioritization report is available at <http://www.rtca.org/Files/Miscellaneous%20Files/NextGen%20Prioritization%20NAC%20Sept%202013%20final.pdf>

AIP Grants

20 AIRPORTS GET \$6.4 MILLION FOR SUSTAINABILITY PROJECTS

Some 20 airports received a total of \$6.4 million in federal Airport Improvement Program (AIP) grants to help them take innovative steps to become more sustainable, Transportation Secretary Anthony Foxx announced recently.

“We want the U.S. aviation system to be the safest in the world, and also the most sustainable and environmentally conscious,” said Secretary Foxx. “These grants will help airports operate more efficiently, providing savings for the airports and their travelers alike, while protecting the health of the local communities they serve.”

Federal Aviation Administrator Michael Huerta added, “I applaud airport sponsors for taking the initiative to make their airports more economically and environmentally sound while continuing to maintain the highest levels of safety and security. These grants will provide the selected airports with a blueprint for achieving all of these objectives.”

Airports can use the grants to reduce their environmental impacts by reducing noise and water usage, improving air quality, and minimizing impacts to surrounding communities through actions such as reducing ground-based vehicle emissions.

Airports receiving sustainability planning grants include:

- Huntsville International (AL) - \$350,000
- Juneau Airport (AK) - \$250,000
- Flagstaff Pulliam Airport (AZ) - \$270,000
- Fort Lauderdale Executive (FL) - \$315,000
- Vero Beach Municipal Airport (FL) - \$247,498
- Honolulu International (HI) - \$450,000
- Coeur D-Alene-Pappy Boyington Field (ID) - \$300,000
- Portland International (ME) - \$300,000
- Minneapolis-St. Paul International (MN) - \$517,500
- Akron-Canton Regional (OH) - \$234,000
- Dayton-Wright Brothers (OH) - \$180,000
- Kent State University (OH) - \$102,600
- Redmond Roberts Field (OR) - \$325,000
- Latrobe Arnold Palmer Regional (PA) - \$225,000
- George Bush Intercontinental (TX) - \$600,000
- Houston William P. Hobby (TX) - \$475,000
- Virginia Statewide (VA) - \$500,000
- Huntington Tri-State (WV) - \$250,000
- Charleston Yeager (WV) - \$200,000
- Cheyenne Regional/Jerry Olsen Field (WY) - \$300,000

Funding from the FAA's Airport Improvement Program enables airports to study, plan, and develop sustainability initiatives to be incorporated into existing and future airport projects.

Noise Monitoring

PANYNJ IS UPDATING ANOMS SYSTEM; TRANSITIONING TO B&K

The Port Authority of New York and New Jersey is in the process of updating its airport noise monitoring system. It is replacing its Exelis system with B&K's ANOMS, which began running live on Sept. 1.

The B&K installation took a record six weeks and included a PASSUR radar implementation and integration with older Larson Davis noise monitoring terminals and B&K noise monitoring terminals.

Phase 2 of the installation is underway and will include other installations and integration of software.

In June, Ed Knoesel, manager of environmental services for the Aviation Department of PANYNJ, told the Town of Hempstead Town-Village Aircraft Safety & Noise Abatement Committee (TVASNAC) that all noise monitors around JFK International will be replaced and equipped with cellular and wireless connections to make them more reliable, the *Nassau Herald* newspaper reported.

The Port Authority also is in the process of designing a new website where the public can access flight-tracking and noise data and submit noise complaints. The website is expected to launch in November or December.

Lawmakers Want More Monitors

In August, NY Sens. Charles Schumer (D) and Kirsten Gillibrand (D) and Reps. Carolyn McCarthy (D), Steve Israel

(D), and Grace Meng (D) called on the Port Authority to install additional aircraft noise monitors in Queens and Nassau County communities in the wake of new flight patterns into and out of LaGuardia and JFK airports.

The federal representatives asked FAA Administrator Michael Huerta and PANYNJ Executive Director Patrick Foye to place these monitors in coordination with the FAA and the local communities.

“Additionally,” they wrote, “it is our understanding that the FAA does not utilize the data from the Port Authority’s airplane noise monitors. It is our understanding that FAA studies and reports are completed using computer modeling that doesn’t take any on the ground noise monitoring data into account. We urge the FAA to work with the Port Authority in the placement of new noise monitors so they can include this data in their reports and studies.”

“Noise monitors are so under-utilized in the New York tri-state area, which is home to three of the nation’s busiest airports. Other major airports in the country, like Boston and Los Angeles, use upwards of 30 each, and we only have 14 between our two largest airports,” Schumer said in an Aug. 8 statement.

“The bottom line,” Schumer said in his release, “is that we need more monitors so we can collect the best data and assess impacts and make decisions based on the best information. The Port Authority’s new transparent website is a step in the direction but additional noise monitors should be installed so that local residents can get an accurate read of noise levels. It is critical that the Port Authority work together with the FAA to listen to residents, and ultimately get more noise monitors on the ground where we need them the most.”

“Without adequate noise monitoring and data collection it is impossible for the Port Authority and FAA to begin to address community concerns,” said Sen. Gillibrand the same Aug. 8 press release. “With these additional monitors the FAA will have another way of tracking and mitigating noise, which should provide some relief to Queens and Nassau County residents.”

“Groups like the Town-Village Aircraft Safety & Noise Abatement Committee in Nassau County and residents across Long Island and Queens have been fighting airplane noise with us for a very long time and tools like these monitors will only help in our efforts. The Port Authority and FAA have given an open ear to our concerns in the past and I hope they act upon this call without delay,” said Rep. McCarthy.

Rep. Israel added, “We know that airplane noise is impacting local communities. But I want critical technologies like more noise monitors in place to track it. With that detailed information and by making it public, the Port Authority and FAA can work with the community to reach a resolution to this quality of life issue for my constituents.”

“The residents of Queens continue to suffer from the constant barrage of increased airplane noise over their neighborhoods,” said Rep. Meng. “It’s outrageous that New York’s airports are not equipped with the same number of monitors that are being used by other airports around the country. It is

critical to obtain the most accurate and reliable information on noise levels in order for officials to come-up with a plan to alleviate it. I urge the Port Authority to act at once so that our constituents can finally have their quality of life restored.”

A PANYNJ spokesman told ANR that there are four portable and permanent noise monitors around LaGuardia and 11 around JFK and the PA is considering adding more.

Sleep, from p. 130

fessor and chief, Division of Sleep and Chronobiology, Department of Psychiatry, and Sarah McGuire, PhD, a post doctoral fellow in the Division of Sleep and Chronobiology.

“We know that chronic sleep disturbance is associated with multiple health issues including high blood pressure, diabetes, and depression. What is not fully understood is how much aircraft noise impacts sleep in communities around airports, and how sleep disturbances due to aircraft noise compare with those due to other things (other noise sources, weight, age, stress, etc.),” Basner explained.

“Through our work with the COE, we aim to build on existing models and develop a better understanding of how aircraft noise characteristics affect sleep.”

By coupling the resulting sleep disturbance models with noise prediction tools, Basner and colleagues hope to show potential awakening patterns in communities for a wide range of different airport and air traffic scenarios.

Preparing for U.S. Field Study

The Penn sleep research team is currently preparing a U.S. field study on the effects of aircraft noise on sleep.

Basner said that U.S. field research efforts on the effects of aircraft noise on sleep have lagged over the past 30 years, while aircraft noise has continued to evolve. Within this period, air traffic has changed significantly, with substantial increases in traffic volume and significant improvements in noise levels of single aircraft.

“Therefore, these new FAA-funded field studies are critical to collect current sleep disturbance data for varying degrees of noise exposure to further current scientific knowledge of air transportation’s impact on sleep,” he said

Basner told ANR that the Penn team is in the process of selecting locations for its field research on the effects of aircraft noise on sleep and will likely begin measuring sleep of airport residents and a control group in March 2014.

The “optimal” design for the U.S. field study was outlined in a report by Basner released in June 2012 (24 ANR 66). The study was funded under the PARTNER COE, which is being phased out at the end of its 10-year life cycle and replaced by the new COE on alternative jet fuels and the environment.

In his 2012 report, Basner recommended that the U.S. field study be conducted at four airports:

- An airport with high traffic densities during the night (e.g., a freight hub) and no nighttime traffic curfew;
- An airport with low traffic densities during the night and

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no nighttime traffic curfew;

- An airport where a night traffic curfew is in effect;
- An airport that recently has been expanded (i.e., experienced a significant change in air traffic) and;
- At least one control site without aircraft noise exposure.

If it is not feasible to conduct the study at five locations, then it should be done at one airport with high traffic densities during the night and one control site, Basner told FAA and PARTNER.

In terms of how to best conduct the study, Basner recommended the use of (1) actigraphy (an instrument worn like a wrist-watch that measures acceleration of body movements and has been used in three European studies), plus (2) a single-channel Electrocardiogram (ECG), which measures heart rate; plus (3) the actigraph event marker to signal conscious awakenings; plus (4) a brief questionnaire on the effects of aircraft noise on the subjects' sleep to be filled out the morning after exposure.

Basner said this study design would not be expensive because the subjects can apply the sensors and start and stop measurements themselves and that would assure a large subject sample.

The Electrocardiogram "offers a unique opportunity to inexpensively and unobtrusively measure both subtle and more obvious changes in sleep physiology," he explained.

Sleep physiology is important, Basner noted, because cortical arousals [ranging from sleep stage changes to waking up] may indeed be a prerequisite for next day consequences, whereas vegetative arousals [increased heart rate and blood pressure] alone may suffice to increase the long-term risk of cardiovascular disease."

He recommended that the study sample size should be at least 40 or more people and said it is dependent on how frequently they experience aircraft overflights during the night.

Basner said that his study design also will allow for comparisons of the U.S. study results with earlier U.S. studies and with studies done outside the United States.

Research conducted in Europe over the past decade has shown a link between high levels of exposure to aircraft noise over extended periods of time and heart disease and high blood pressure. FAA needs a U.S. field study to either confirm or refute the European findings.

In Brief...

FAA Office of Env. & Energy Staff Furloughed

The staff of FAA's Office of Environment and Energy has been furloughed under the federal government shutdown, which began on Oct. 1. No further information is available.

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 34

October 11, 2013

Health Effects

TWO NEW STUDIES DONE IN UK, U.S. LINK AIRCRAFT NOISE TO HEART DISEASE, STROKE

Two new large-scale studies done in the United States and the UK have found a link between exposure to aircraft noise and cardiovascular disease.

The UK study found an increased risk of hospitalization and death from stroke, coronary heart disease, and cardiovascular disease among 3.6 million people exposed to daytime and night-time noise around London Heathrow Airport. The study group was located either wholly or partly within the 2001 50 dB daytime (L_{Aeq} 16h) noise contour of Heathrow.

The risks for stroke and heart disease were found to be around 10 percent to 20 percent higher in areas near Heathrow with the highest levels of aircraft noise compared with areas with the least noise.

A separate U.S. study of approximately 6 million older people on Medicare living around 89 U.S. airports (out to 45 dB DNL) found an increased risk of being hospitalized for cardiovascular disease, especially at high noise levels.

The study found that, on average, older people in zip codes with 10-dB higher aircraft noise had a 3.5 percent higher cardiovascular hospital admission rate.

(Continued on p. 135)

Editorial

LINK SEEMS REAL: PLANNERS TAKE NOTE

by Stephen Stansfeld
Professor of Psychiatry
Barts and the London School of Medicine

[Following is an editorial by Professor Stephen Stansfeld that accompanied the publication in the British Medical Journal of two new studies reported above that link exposure to aircraft noise with heart disease and stroke. Professor Stansfeld recently chaired the European Network on Noise and Health, which has been making recommendations for new research on environmental noise and health.]

Environmental noise is an understudied environmental pollutant that has important implications for public health and policy. Although studies of exposure to aircraft noise have examined the risk of hypertension, few have examined the risk of cardiovascular disease. One early study suggested that exposure to aircraft noise around Schiphol airport, Amsterdam, was related to medical treatment for heart dis-

(Continued on p. 136)

In This Issue...

Health Effects ... A link between aircraft noise exposure and heart disease is found in two major U.S. and UK studies published this week. The U.S. study of nearly 6 million older Americans living near 89 airports found they had an increased risk of being hospitalized for cardiovascular disease the closer they lived to the airport. A UK study of 3.6 million people living near Heathrow Airport found an increased risk of stroke and heart disease in residents in the airport's noise contour - p. 134

Editorial ... The findings of the two studies "imply that the siting of airports and consequent exposure to aircraft noise may have direct effects on the health of the surrounding population. Planners need to take this into account when expanding airports in heavily populated areas or planning new airports," Professor Stephen Stansfeld, Bart and London School of Medicine, says in an editorial accompanying the studies - p. 134

Studies, from p. 134

The U.S. study was done by researchers at the Boston University and Harvard Schools of Medicine and NMR Group in Somerville, MA. It was funded by the Federal Aviation Administration under the Partnership for Air Transportation Noise and Emissions Reduction (PARTNER) research consortium. The 89 U.S. airports that were included in the U.S. study were not identified.

The UK study was done by researchers at Imperial College London and King's College London.

Both studies were published online in the British Medical Journal (BMJ). The UK study is at <http://www.bmj.com/content/347/bmj.f5561>

The U.S. study is at <http://www.bmj.com/content/347/bmj.f5561>

Implications for Siting Airports

“These studies provide preliminary evidence that aircraft noise exposure is not just a cause of annoyance, sleep disturbance, and reduced quality of life but may also increase morbidity and mortality from cardiovascular disease,” Stephen Stansfeld, a psychiatry professor at London School of Medicine and researcher on the effects of aircraft noise exposure, wrote in an editorial (See p. 134) in the BMJ, which accompanied the two studies.

“The results imply that the siting of airports and consequent exposure to aircraft noise may have direct effects on the health of the surrounding population. Planners need to take this into account when expanding airports in heavily populated areas or planning new airports,” Stansfeld cautioned.

The UK study could affect the current debate about whether to expand Heathrow Airport, which is surrounded by dense residential development, or to construct a new airport outside of London in the Thames River estuary.

In the United States, the study results will be used by those opposed to airport expansion projects and air route changes and by residents near airports seeking sound insulation.

U.S. Study

The U.S. study “is the first major study to estimate the association between residential exposure to aircraft noise and cardiovascular hospitalizations, using data on the nationally representative U.S. population age 65 and older, along with noise data from airports across the country,” Boston University School of Public Health explained.

“Our study emphasizes that interventions that reduce noise exposures could reduce cardiovascular risks among people living near airports,” said co-author Jonathan Levey, professor of environmental health at BUSPH.

“This can be done through improved aircraft technology and optimized flight paths; by using runways strategically to avoid, when possible, residential areas when people are sleeping; and by soundproofing of homes and other buildings,” he

suggested.

The researchers analyzed the relationship between noise from 89 U.S. airports and cardiovascular-related hospitalizations among approximately 6 million study participants for 2009, using data from Medicare, the Federal Aviation Administration, the Environmental Protection Agency and the U.S. Census. In their analysis, they adjusted for the effects of socioeconomic status, demographic factors, air pollution, and roadway proximity.

The results showed that the highest levels of aircraft noise had the strongest association with cardiovascular disease hospitalizations.

Overall, 2.3 percent of hospitalizations for cardiovascular disease among older people living near airports were attributable to aircraft noise.

Cardiovascular diseases are the top cause of death globally; in 2008, 17.3 million people died from such diseases, representing 30 percent of all global deaths, according to the World Health Organization, the university said.

In speculating about how aircraft noise might be linked to higher rates of cardiovascular hospitalizations, the researchers noted that noise has been previously linked with stress reactions and increased blood pressure, both of which are risk factors for cardiovascular disease.

“It was surprising to find that living close to an airport and therefore being exposed to aircraft noise can adversely affect your cardiovascular health, even beyond exposure to air pollution and traffic noise,” said senior author Francesca Dominici, professor of biostatistics and associate dean of information technology at the Harvard School of Public Health.

The joint lead authors included Junenette Peters, assistant professor of environmental health at BUSPH, and Andrew Correia, quantitative analyst for Somerville-based NMR Group, Inc.

UK Study

In the UK study, researchers at Imperial College London and King's College London compared data on day- and nighttime aircraft noise with hospital admissions and mortality rates.

Previous research has found links between living in a noisy environment and risk of high blood pressure but few studies have looked at stroke, heart disease, and circulatory disease, researchers who conducted the UK Heathrow study noted.

They said their new findings raise the possibility that aircraft noise may be a contributing factor to these conditions but said more work is needed to establish the exact relationship between noise and ill health.

“These findings suggest a possible link between high levels of aircraft noise and risk of heart disease and stroke, said Dr. Anna Hansell, of the School of Public Health at Imperial, the lead author of the Heathrow study.

“The exact role that noise exposure may play in ill health is not well established. However, it is plausible that it might be contributing, for example by raising blood pressure or by

disturbing people's sleep. The relative importance of daytime and night-time noise also needs to be investigated further."

Professor Paul Elliott, the senior author of the study and director of the UK Small Area Health Statistics Unit and MRC-PHE Centre for Environment and Health, where the study was conducted, added, "From this type of study, we can't say for certain that aircraft noise is responsible for the increased heart disease and stroke risk in these communities as there are other possible explanations.

"It's worth bearing in mind that there are many other factors that are known to have important influences on an individual's risk of heart disease and stroke, such as diet, smoking, lack of exercise and medical conditions such as raised blood pressure and diabetes. However, our study does raise important questions about the potential role of noise on cardiovascular health, which needs further study"

The UK study covered 12 London boroughs and nine districts outside of London where aircraft noise exceeds 50 dB LAeq (16hr). The whole study area was divided into 12,110 small areas, each with a population of around 300. For each small area, the researchers looked at noise levels from 2001, provided by the UK Civil Aviation Authority and hospital admissions and deaths from 2001-2005.

The researchers also considered other factors in those areas that have been linked to heart disease rates, like social deprivation, ethnic composition, road traffic noise, air pollution and lung cancer rates – a proxy for the prevalence of smoking.

After adjusting for these factors, South Asian ethnicity – which is associated with higher risks of heart disease – was found to account for part of the association between heart disease admissions and noise levels, as many areas with the most noise also have large South Asian populations.

The centre where the work was carried out is funded by Public Health England and the Medical Research Council.

Stansfeld, from p. 134

ease and hypertension and the use of cardiovascular drugs after adjusting for age, sex, smoking, height and weight, and socioeconomic differences. Two linked BMJ studies have investigated the association between cardiovascular disease and airport noise.

The study by Hansell and colleagues found an increased risk of stroke, coronary heart disease, and cardiovascular disease for both hospital admissions and mortality in relation to daytime and night-time exposure to aircraft noise in people living around Heathrow airport, London. The results were adjusted for area level ethnicity, social deprivation, lung cancer as a proxy for smoking, road traffic noise exposure, and air pollution. A dose-response association was seen between admissions to hospital for cardiovascular disease and the level of aircraft noise.

In a separate study around 89 North American airports, Correia and colleagues found that airport noise, characterised

by the 90th centile of noise exposure within zip code tabulation areas, was significantly associated with a higher relative risk of hospital admission for cardiovascular disease in older American Medicare recipients. The results were adjusted for age, sex, and race as well as area level socioeconomic status and ethnicity.

New Studies Add to Evidence

These new studies add to the research evidence linking noise exposure and cardiovascular disease. The largest comparable recent study was a follow-up of the Swiss national cohort in which aircraft noise was associated with mortality from myocardial infarction, in a dose-response manner according to the level and duration of exposure. Exposure to aircraft noise was linked to cardiovascular risk factors, such as hypertension, in an dose-response manner in the HYENA (Hypertension and Exposure to Noise near Airports) study. This is the largest study of aircraft noise and hypertension to date, involving 4861 participants living around seven European airports. A linked substudy on acute noise found an increase in participants' blood pressure when they were sleeping regardless of the source of the noise (road traffic noise, aircraft noise, or noise from inside the home).

Increased rates of prescription for cardiovascular drugs and antihypertensive drugs have also been related to exposure to aircraft noise, although the results for antihypertensive drugs were inconsistent. A meta-analysis of five studies of hypertension and exposure to aircraft noise reported a pooled estimate odds ratio of 1.13 for an increase of 10 dB (95% confidence interval 1.00 to 1.28; range 45-70 dB). However, only one aircraft noise study has shown an increased incidence of hypertension.

More studies have looked at exposure to road traffic noise than aircraft noise. Road traffic noise was linked to hypertension in men, but not women, in the HYENA study. It was also associated with hypertension in people aged 45-55 years (odds ratio 1.2) and at higher exposure (exposure weighted for each period over 24 hours >55 dB) in the Groningen study (PREVEND cohort).

Road traffic noise was also associated with myocardial infarction in two prospective studies, in case-control studies in men resident in Germany for more than 10 years, and in a subsample from a Swedish study after excluding hearing impaired participants and those exposed to other noise sources.

A recent meta-analysis reported a dose-response association between daytime road traffic noise and myocardial infarction (odds ratio 1.47, 0.79 to 2.76 for those exposed to >75 dB v <55 dB). Exposure to road traffic noise was also related to mortality from coronary heart disease after adjusting for air pollution in two studies, although associations diminished after adjustment for black smoke concentrations and traffic intensity in one.

The two new studies are better powered than earlier studies, using advanced statistical methods for area level analyses, adjusting for confounding factors such as air pollution, and including high levels of exposure around Heathrow air-

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port. They also found new associations with hospital admissions for cardiovascular disease as well as mortality. The link between aircraft noise and death from stroke is new and fits with associations between aircraft noise and hypertension and between road traffic noise and death from stroke.

Need for Prospective Study

Inevitably, these ecological level analyses cannot include individual level confounding factors, such as smoking and household income, and both exposure and outcome misclassification will reduce the precision of associations. There is a need for prospective cohort studies of exposure to aircraft and road traffic noise and links with cardiovascular disease that assess risk factors for cardiovascular disease, morbidity and mortality, and that also take account of air pollution, social disadvantage, and migration in and out of study areas. It would be good to separate out the effects of daytime and night-time noise, the influence of occupational noise exposure, and the possible ameliorative effect of access to quiet areas and sound insulation of buildings.

These studies provide preliminary evidence that aircraft noise exposure is not just a cause of annoyance, sleep disturbance, and reduced quality of life but may also increase morbidity and mortality from cardiovascular disease. The results imply that the siting of airports and consequent exposure to aircraft noise may have direct effects on the health of the surrounding population. Planners need to take this into account when expanding airports in heavily populated areas or planning new airports.

[A prospective cohort study is one that follows over time a group of similar individuals (cohorts) who differ with respect to certain factors under study, to determine how these factors affect rates of a certain outcome.

Any follow-on to the U.S. study would likely be funded through FAA's new Center of Excellence (COE) for alternative jet fuels and the environment, which is in the process of starting up and will replace the PARTNER COE which has reached its 10-year lifespan.

Because of the federal government shutdown, no one at FAA is available to comment on the new studies.]

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Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 35

October 18, 2013

Heathrow Airport

RESPITE TRIAL SUCCESSFUL IN RELIEF ZONES BUT INCREASES NOISE IN PLACES OUTSIDE

A five-month trial to test whether it is possible to create ‘noise relief zones’ for communities subject to noise from early morning arrivals into Heathrow Airport ended in mixed results.

While the noise respite trial – the first of its kind anywhere in the world – brought relief to approximately 100,000 people living under arrival paths east and southeast of London, it also increased noise impact on other communities east of London outside the noise relief zones.

During the five month Early Morning Noise Respite Trial, which ended in March, air traffic controllers instructed pilots to avoid specified areas on alternate weeks in order to give residents a break from the noise. The scheme only involved flights arriving between 11:30 p.m. and 6 a.m.

There were very few infringements of the designated noise respite areas, Heathrow officials said, but added that the trial did have “some unforeseen consequences. Some areas, such as Brockley in Southeast London saw an increase in night flights. Also, during the trial, aircraft joined the approach paths further from
(Continued on p. 139)

Legal Roundtable

WILL NEW STUDIES LINKING AIRPORT NOISE WITH HEART DISEASE AFFECT FAA POLICY?

What is the significance of the two major studies published last week (25 ANR 134) linking exposure to aircraft noise to heart disease?

Will they affect FAA’s environmental analysis of airport projects, or make it more difficult to implement NextGen procedures, or impact FAA’s 65 dB DNL threshold for significant noise impact?

ANR posed these questions to four aviation attorneys, all experts in FAA noise policy. Their responses provide an illuminating discussion of current agency policy and what it will likely take to make the FAA change it.

Neal McAliley

White & Case, Miami

The growing number of studies linking noise exposure to cardiovascular disease and other health issues has the potential to change how the FAA and DOD agencies prepare NEPA documents. These studies link cardiovascular disease to residential noise exposures at levels lower than 65 DNL.

(Continued on p. 139)

In This Issue...

Heathrow Airport ... The world’s first test of the idea of establishing noise relief zones around airports to give communities a rest from constant overflights ends at Heathrow Airport with mixed results.

While the five-month flight trial provided relief to about 100,000 people in communities near Heathrow, it also increased noise impact on some communities outside the zones.

Nevertheless, Heathrow officials and communities are encouraged by the results and plan to keep trying to refine the idea and eliminate the downside - p. 138

Legal Roundtable ... ANR asks four attorneys, who are legal experts on FAA noise and environmental policy, whether two new major studies released last week linking aircraft noise exposure to heart disease will have an impact on FAA noise policy or implementation of NextGen procedures.

Their answers begin on p. 138.

Heathrow, from p. 138

touchdown in order to avoid overflying the exclusion zones. This in turn resulted in the areas between the zones being overflowed more during the trial.”

The UK aviation management and consulting firm Helios assessed the noise relief zone trial and recommended that it not continue in its present form because of the increased noise impact outside the zones. In the future, Heathrow should assess the noise impact that the noise respite program will have on areas outside the respite zones in order to “better understand the balance of the likely benefits against the unintended negative outcomes,” the Helios report stressed.

“During the feedback sessions with HACAN [the community group Heathrow Association for the Control of Noise] and the local communities, positive feedback on the impact of the trial was obtained from people living within these areas. However, the trial also had other impacts,” Helios said.

“The trial resulted in a number of aircraft joining the approach path further from touchdown (particularly discernible when the zones to the east of the airport were active). This resulted in communities between the zones on the extended centerline experiencing a significant increase in over-flights during the trial. Not only were there more flights, but they were also more laterally concentrated onto the centerline. This resulted in a significant negative impact to these communities.”

Results Called ‘Encouraging’

But despite Helios’ recommendation that the trial not continue, Matt Gorman, Heathrow’s Sustainability Director, said, “The results of this trial are very encouraging, showing that by working with local communities and our partners across the airport we can find new ways to bring noise respite to thousands of residents. We will now examine what improvements we can make to retain the benefits of this trial whilst addressing the challenges.”

The idea of giving communities respite from aircraft noise in the early morning evolved from an initiative by Heathrow officials to work with community groups to identify key issues for them and ask how the airport might address them. The respite zone idea was developed at a workshop Heathrow held with the UK air navigation service provider NATS and British Airways. The respite trial idea was presented back to the community groups who supported it.

HACAN Chair John Stewart said, “This is the first time we have worked with the aviation industry in this way. Although the trial had some problems which would need to be addressed in any future experiments, to bring relief to 100,000 people is a considerable achievement.”

Ian Jopson, Head of Environment and Community Affairs at the air traffic control firm NATS, added, “The trial was a very positive example of how the industry and community can work together to look for ways to limit the impact of noise. The latest precision navigation technology makes it

more feasible to provide respite through innovative air traffic control procedures, and this trial has been an important first step in understanding how we can best take advantage of it.”

The Early Morning Noise Respite flight trial began on Nov. 5, 2012 (24 ANR 186).

Majority of Flights Stayed in Zones

From an operational perspective, the noise relief zones around Heathrow were operated successfully by NATS, Helios concluded in its report.

When the zones were operational, the vast majority of arrivals (96 percent) were successfully vectored to avoid them. Some flights did pass through the active zones but these were predominantly medical emergencies (allowed to pass through) or else they simply ‘clipped’ the zone during a turn, Helios reported.

Analysis of flight data from outside of the trial period showed that aircraft quickly returned to their normal flight paths.

The majority of nights (71 percent) saw no zone infringements. When an infringement did occur, it was typically a single flight through the entire night period, Helios found.

Aircraft involved in the trial typically incurred a small number of additional track miles (4.2 nm on average). Overall the additional distance led to an average additional fuel cost of £33 (\$52) per arrival and across the trial as a whole led to an additional 264 metric tons of CO₂ being emitted.

The Helios report is online at http://www.heathrowairport.com/static/Heathrow_Noise/Downloads/PDF/EMAT_final%20report.pdf

Roundtable, from p. 138

It is hard to see how those agencies can avoid disclosing these potential impacts when they consider airport projects, Part 150 studies, and changes in flight operations. NEPA requires agencies to disclose the reasonably foreseeable environmental impacts of their proposals, even if there is no substantive requirement that agencies act on that information.

Potential changes to NEPA documents include updated discussions of the effects of noise on people; calculation of noise contours below 65 DNL; and discussion of expanded noise mitigation programs and/or noise abatement procedures.

**A Former FAA Attorney
(now in private practice)**

The studies are described as “preliminary” and recognize that much more study needs to be done. So I think it is quite premature for the FAA to consider any change in its noise policies.

While one or both of these studies may show the impacts by DNL corridor, it is not clear from the reports whether this was done and what was demonstrated. Clearly, the fact that some impact was noticed below 50 DNL (or the equivalent)

calls into question the bright line the FAA has drawn at 65 DNL.

As for NextGen, these studies could be used by opponents of narrow departure paths that reduce noise for 80% or more but increase noise for a small portion of residents (albeit likely outside of the 65 DNL). But I do not believe these studies alone will slow down NextGen improvements, as I do not believe environmental concerns are likely to slow down NextGen improvement, unless the FAA agrees to do one or more EA's and not rely on the cat ex authority. I note that Denver airspace improvements underwent NEPA review, and I believe an EA is being prepared (if not already concluded).

Steven Taber

Taber Law Group, Irving, CA

I do not quite agree with Neal. It is my belief that agency inertia will cause the FAA not to interfere with the noise measurement system they currently have, until they are told otherwise by Congress or the courts.

As [the former FAA attorney] pointed out, the DNL/INM system has been upheld consistently by courts as being the marker for what constitutes significant noise impact. The studies released last week by the *British Medical Journal* are just the most recent in a long series of studies – primarily outside the U.S. – that show that aircraft noise has a serious impact on human health, particularly with respect to heart disease and stroke. There was a German study a few years ago that arrived at the same conclusions as the *BMJ* studies. There were also a couple of British studies and a Dutch study that measured the physiological effect of aircraft noise. Yet, the FAA has not made any movement towards changing its DNL/INM model or modifying the 65 DNL as the line demarcation. I have mentioned in several comment letters to several airport projects the existence of the other studies, yet the FAA's response has always been that DNL is tried and true and they only need to have taken a "hard look" at the issue for purposes of NEPA. I believe that it will take a court or Congress to mandate that the FAA revisit the DNL/INM protocols before the FAA changes it.

That being said, I think the HAI [*Helicopter Association International, Inc. v. FAA*] case regarding the North Shore Helicopter route may provide much more leverage with the courts to argue that noise levels below 65 DNL create a significant impact. In that case, the FAA determined in a noise study that even though the noise levels experienced by the residents of the North Shore of Long Island were below 55 DNL, there was enough of an impact on the residents to justify the institution of the North Shore Helicopter Route. Thus, this case and the *BMJ* studies together are two more arrows in the quiver for those who oppose noise created by aircraft. These two factors present a much more compelling argument than what we had before.

Will the FAA change on its own? I do not believe it is likely.

Peter Kirsch

Kaplan Kirsch & Rockwell, Denver

You pose a good question that deserves a thoughtful response. Being the last one to respond to your query gives me the advantage of saying that I basically agree with all of the prior comments but want to offer a little background and explanation for my agreement.

As you know, the DNL metric and the 65 dB threshold were established by the FAA in response to the 1979 Airport Safety and Noise Abatement Act. While Congress directed the FAA to establish the threshold and metric in the context of creation of the Part 150 program, the FAA has been extraordinarily successful in morphing a metric/threshold intended to be used exclusively as part of a funding and planning program into a *de-facto* national standard for what constitutes significant noise impact. (The metric and threshold were established for the purposes of determining funding of mitigation – and were never intended to be a measure of significance for other purposes.) The FAA has consistently, strategically and methodically converted the DNL metric and 65 dB threshold into a standard for use in myriad federal environmental statutes from NEPA to Section 4(f) to Section 106, Endangered Species Act, etc. Through aggressive litigation defense, the FAA has successfully defended the widespread application of this metric/threshold way beyond its originally intended use. The courts, applying *Chevron* deference, have almost uniformly upheld the agency views. Note that this is in contrast to state courts (especially in California and Minnesota) which have not been nearly so deferential.

In recent years, in response to what has been an increasing (and some would argue overwhelming) industry criticism of the exclusivity of the 65 dB DNL standard, the FAA has allowed use of other metrics and other thresholds for information purposes only in environmental documents. While allowing a small crack in the door, the agency has remained vehement that these other metrics and thresholds have zero legal significance.

The most important crack in the door came, as Steve Taber noted, is the FAA brief and later D.C. Circuit opinion in the *Helicopters Association International* case last summer (25 ANR 86). I cannot explain the FAA's shift in position and cannot predict its effect beyond the obvious that the FAA can no longer assert that it has an inviolate policy of relying only on DNL metric and the 65 dB threshold for all environmental purposes. The FAA position in this latest litigation is consistent with a growing body of scientific literature (led largely by Sandy Fidell and Vince Mestre, among others) that argues that use of a measurement of noise energy (decibels) is not a good surrogate for annoyance. Time will tell if the FAA will allow other measurements of annoyance.

I put the latest research results into a bucket with a large body of scientific criticism that has pretty consistently argued that the FAA's reliance on the DNL and 65 has been misplaced when it is used outside the Part 150 context. The FAA has repeatedly been successful in beating back this criticism

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and I would expect that they will do the same here. That being said, it is quite possible that the FAA will allow use of other analytic methods to disclose, for example, health effects, but I expect that any such allowance will come with the caveat that such additional data is “for information purposes only” and has zero legal or regulatory significance. We saw that same reaction to studies of sleep disturbance (see, for example, the FAA’s opinion in the Burbank Part 161 decision where the agency discounted virtually every study of sleep disturbance).

This is probably longer than you wanted but I thought it important to explain why I think it will be a very long time until the FAA reacts to the latest studies and any reaction is likely to come as the result of external pressure (e.g., Congress) and not the result of the agency reassessing its own methodologies.

Neal McAliley (again)

White & Case, Miami

My point is more limited than several of the others have interpreted it. NEPA is a procedural statute, which only requires agencies to disclose the reasonably foreseeable environmental impacts of their proposed actions. Currently, the FAA and other federal agencies do not disclose in their NEPA documents that there are studies linking high noise exposures with cardiovascular disease and other health effects. With the new health studies, it becomes harder for those agencies not to indicate in their NEPA documents that some studies link noise to health effects. Whether the agencies believe that these studies are valid, or sufficient to establish causation, is something that they could address in their NEPA documents.

How the FAA and other agencies measure noise is a separate issue, because the health studies address the effect of noise exposure (however measured) on human health. It also is a separate issue how the FAA will respond substantively to any given noise impact (e.g., the level of noise exposure at which FAA will allow the use of airport funds for noise mitigation), because NEPA does not require agencies to act upon the information they disclose.

Finally, I agree with the other commenters that the FAA will resist acknowledging these studies, or changing the longstanding position that 65 DNL is the threshold of significance for noise impacts. However, the purpose of NEPA is to have agencies disclose environmental impacts so that government decisionmakers and members of the public can be informed about the likely effects of agency decisions, and make up their own minds.

AIRPORT NOISE REPORT

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Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 36

October 25, 2013

O'Hare Int'l

CHICAGO MAYOR PROMISES TO SUPPORT NOISE ABATEMENT FOR NEW RUNWAY

Chicago Mayor Rahm Emanuel promised that he will support noise abatement for neighborhoods that are hit by noise from the new \$1.28 billion fourth parallel runway that opened at O'Hare International Airport on Oct. 17.

Emanuel said he would "make sure the residents around the airport get the resources and support they need for noise abatement."

The opening of the new runway, which marks the end of the first phase of the massive \$8 billion O'Hare Modernization Program, was accompanied by a major shift in airport operations to a predominantly east-west flow, which sends aircraft over communities that never had overflights before and are now demanding that they have seat at the table in mitigating noise impact and making decisions about the modernization project as it moves forward.

The 2005 Environment Impact statement on the O'Hare Modernization Project estimated that the new traffic pattern at O'Hare would result in 15,991 people being newly added to the 65 DNL contour.

(Continued on p. 143)

Ft. Lauderdale-Hollywood Int'l

DANIA TENTATIVELY APPROVES REVISED SETTLEMENT OVER RUNWAY EXTENSION

The Dania Beach Commissioners gave tentative approval on Oct. 22 to a revised settlement agreement with Broward County, FL, that would end decades of litigation over the extension of the south runway at Ft. Lauderdale-Hollywood International Airport, which is currently under construction.

The city Commissioners voted 4-0 on a first reading to approve the new settlement but must vote on it again on Nov. 12 to finalize the city's approval. Broward County Commissioners and the Federal Aviation Administration also must approve the agreement.

The settlement agreement includes a unique voluntary program under which the County will pay each of the 857 homeowners who live in the airport's 65 dB DNL contour 21.9 percent of the fair market value (FMV) of their home if it is not sound insulated and 14.4 percent of the FMV of their home if it is sound insulated in exchange for their signing a Conveyance and Release Agreement (C&R), which is similar to an avigation easement but more encompassing and conveys with the deed.

The average home value in Dania Beach is \$325,000, according to the FAA's

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In This Issue...

O'Hare Int'l ... Chicago Mayor Rahm Emanuel promises that residents hit by the noise from a new runway that opened Oct. 17 and a major shift in airport operations to east-west flow will get resources they need for noise abatement - p. 142

Ft. Lauderdale ... Dania Beach tentatively approves a revised legal settlement agreement with Broward County over runway extension. It includes a novel program that Dania's former mayor calls "precedent-setting" and will pay homeowners in 65 DNL contour significantly more than an avigation easement - p. 142

Billy Bishop Airport ... Porter Airlines has contracted with Tetra Tech to conduct an RNP feasibility study and noise footprint analysis in what is likely an effort to ensure that the new Bombardier CS100 jets it has ordered, but are not yet noise certificated, meet stringent noise limits at Toronto city-center airport - p. 143.

O'Hare, from p. 142

Under the new flight pattern for O'Hare, about 75 percent of all flights arriving during the daytime will be split almost evenly among three parallel east-west runways, including the new one. But night flights will be concentrated onto only one parallel runway 70 percent of the year in order to allow them to come in over a noise abatement path, the Kennedy Expressway.

A coalition of 10 civic organizations representing thousands of neighborhoods in northwest Chicago neighborhoods and the northwest suburbs, who will get the brunt of the new noise impact, have formed an organization called Fair Allocation of Runways (FAIR), which wants the night traffic also split among the parallel runways.

FAIR is led by a group of 35 people with broad experience in civic groups and deep roots in local politics. They are embued in the ethos of civics (the rights and duties of citizenship) where all parties come to the table as equals. They appear adept at getting support for their goals from local congressional representatives and Chicago's mayor and are not afraid of hard work. FAIR members dropped 17,000 door hangers in communities near O'Hare prior to the new runway opening seeking support for their goals.

Under pressure from FAIR and others, Ill. Reps. Mike Quigley (D) and Jan Schakowsky (D), who represent communities hit by O'Hare noise, have asked the Federal Aviation Administration to lower the 65 dB DNL noise metric for determining eligibility for residential sound insulation to allow more residents to qualify for the O'Hare Residential Sound Insulation Program and to examine other ways to mitigation the noise impact of the new runway.

They also asked the Chicago Department of Aviation to consider expanding its Fly Quiet Program.

At the runway opening ceremony, Rep. Tammy Duckworth (D-IL) reportedly told reporters that she would take a look at dividing night runway use more evenly. "Everything is on the table as far as I am concerned to alleviate the noise," Duckworth said, according to the *Chicago Sun-Times*.

Want Seat at the Table

Jacques Charlier, one of the leaders of FAIR, told ANR that he was pleased that Mayor Emanuel addressed noise in his speech opening the new runway but stressed that the mayor had not responded to FAIR's letters, telephone calls, and e-mails prior to that.

He said the Rep. Quigley has moved from a position of not supporting residents' concerns about noise impact to now asking what they want him to do.

In mid-November, FAIR plans to tell Mayor Emanuel specifically what they want him to do to address the noise impact from the new runway and airspace configuration.

Charlier declined to discuss the specifics with ANR but said, "We are not going away regardless of the outcome and regardless that the runway opened. We want a real seat at a new table where a noise-based plan is a collaborate effort

with the airport ... We want the airport to show all its plans now so there are no more surprises."

In dropping the 17,000 door hangers, the message FAIR heard from residents was that they were not against aviation or the airport but wanted a say in how O'Hare runways were operated. "We want a say in how this will happen is a real way. People got it; the message resonated," he told ANR.

The build out of O'Hare will continue and FAIR does not oppose that, Charlier stressed. "But we want a say on the future impact; how runways will be used and flights allocated." He believes such an effort can result in a "win-win" for the airport and community.

New Runway Will Cut Delays

The new 10,800-foot Runway 10C-28C at O'Hare is the first Group VI capable runway, built to accommodate the largest aircraft flying today, such as the Boeing 747-8 and Airbus A380.

The addition of the new runway and orientation of the airport to a primarily east-west flow pattern is expected to reduce delays by 50 percent and allow for nearly 90,000 additional annual flights while still reducing delays.

Opening of the new runway is expected to create \$4 billion in new economic activity annually and nearly 50,000 jobs, the City of Chicago Mayor's Office said.

Billy Bishop Airport

PORTER GETTING NOISE FOOTPRINT ANALYSIS OF NEW CS100

The Canadian regional carrier Porter Airlines has contracted with the aerospace firm Tetra Tech to conduct a "Required Navigation Performance (RNP) solutions feasibility study" for its fleet at Billy Bishop Toronto City Airport and to provide expertise in the development of noise footprint analysis.

Porter likely wants this analysis to make sure that the new Bombardier CS100 jets it has ordered meet the stringent noise limits imposed at the airport, which is located on a small island just offshore from the city center. In April, Porter placed a conditional order for 12 CS100s with an option for 18 more.

Porter Airlines currently operates a fleet of medium-range Bombardier Q400 turboprops at the airport, which is its principal hub.

In April, Porter also requested that the City of Toronto, Government of Canada, and Toronto Port Authority amend a 1983 Tripartite Agreement – which bans the operation of jet aircraft at Billy Bishop – to allow the airline to operate the new Bombardier CS100 jet there. The jet aircraft would allow Porter to fly destinations farther away from Toronto, such as Florida and California.

Porter also wants the runway at Billy Bishop extended by at least 168 meters on both ends to accommodate the CS100.

That would result in the runway extending as far as 400 meters into Lake Ontario. The Q400 aircraft have extreme short take-off and landing performance and can operate on shorter runways.

The Tripartite Agreement runs for 50 years and imposes stringent noise limits on aircraft: a 25 NEF (Noise Exposure Forecast) noise footprint for the airport as well as takeoff, approach, and flyover certificated aircraft noise levels that aircraft must meet. It also bans night flights.

Bombardier reportedly assured Porter Airlines that the new CS100, which took its maiden flight on Sept. 16 (25 ANR 129) and has not yet been noise certificated, will meet the Billy Bishop cumulative noise levels set in the Tripartite Agreement. Bombardier says the aircraft, powered by Pratt & Whitney's new geared turbofan engine, slashes noise footprints by up to 75 percent compared to existing turbofan engines.

In December, the Toronto City Council will consider Porter Airline's request to begin jet service at Billy Bishop and extend the runway – both of which are controversial with city residents.

Port Says Noise Limits Must Be Met

On Oct. 21, the Port of Toronto outlined the key parameters by which it will assess Porter Airline's proposal. Port Chairman Mark McQueen stressed that, should the Toronto City Council vote to allow jet aircraft to fly into Billy Bishop Airport, the aircraft must meet the airport's existing noise restrictions.

"The Tripartite Agreement limits the amount of noise the airport can generate each year. The 1983 NEF 25 noise contour and the ICAO noise ceiling make up the strictest noise regime in Canada, and one of the most stringent globally. These noise limitations have been in place since 1983 for the benefit of every Torontonian. Our job is to ensure that the airport's operations fit into, and not dominate, Toronto's lively Waterfront and South Core area," McQueen said.

Tetra Tech's press release, which came out the same day that the Port of Toronto said that CS100s would have to meet the Tripartite Agreement noise limits, mentioned only Porter's current fleet of Q400s and not the new CS100s on order. But a company spokesman said the RNP study also will include the CS100s.

In its announcement, Tetra Tech said Porter Airlines "wants to investigate improvements to procedural efficiencies, with the primary focus of RNP procedure design to gain both safety and environmental operational benefits.

"The RNP project will be instrumental in creating a more effective operational network for Porter Airlines. The study will also advance the development of more efficient procedures to reduce emissions and aircraft noise, while improving weather-related delays, an enhancement that is critical to the growth of the community."

Ft. Lauderdale, from p. 142

2008 Record of Decision on the runway project. That means an owner of a home appraised at \$325,000 would receive \$46,800 or \$71,175 for signing the C&R, depending on whether the house was already soundproofed.

That is much more generous than most homeowners receive for signing aviation easements. That is because the C&R is based on the value of the diminution in value of the home from the increased noise impact. Aviation easements are based only on the value of the easement itself.

"The proposed settlement puts real value in the pockets of people hurt the most by the runway extension," said Neal McAliley of the Miami law firm White & Case, who represents the City of Dania Beach in settlement negotiations.

Jacques Beaumier, noise program manager for Ft. Lauderdale-Hollywood International and airport expansion program manager, believes that other airports will be interested in Broward County's C&R program.

He said it will be discussed at next year's Airport Noise Mitigation Symposium sponsored by the American Association of Airport Executives. The symposium will be held in Ft. Lauderdale next fall.

Asked why airports would pay so much more to homeowners under the C&R than they pay for an aviation easement, Beaumier said that the C&R program in the proposed settlement grew out of the politics involved in the negotiations between the County and Dania Beach.

'Fair and Right Thing to Do'

Former Dania Beach Mayor Anne Castro, who participated in the negotiations that produced the C&R, believes the concept will be precedent-setting.

The original idea for the C&R came from Dania Beach after realizing that it would take 40 years to sell homes in the 65 DNL contour through the sales assistance program, she said.

A market absorption study done by the County showed that only about 22 homes per year could participate in the standard sales assistance program due to local market conditions.

The C&R gives homeowners the option of not enduring this decades long wait.

Asked why other airports would want to follow in Broward County's footsteps and offer more money to homeowners than would be required to purchase an aviation easement, the former mayor shot back, "Because it is the fair and right thing to do. Homeowners need to get fair value for what they are giving up, especially in Florida where there is great value to outdoor spaces, which are used a lot."

The C&R gives airports more in terms of protection from lawsuits and provides an incentive for homeowners not to file lawsuits on their own, she said. Even though the C&R payouts to homeowners are larger than those for aviation easements, they amount to less than what an airport would have to pay fighting thousands of individual lawsuits.

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Program Cost

The proposed settlement also includes a residential sound insulation program and a sales assistance program under which the County will compensate homeowners up to 25 percent of the FMV of their home if it sells for less than full value.

The entire C&R program is estimated to cost \$175 million and includes compensating homeowners for signing the C&R documents, the sound insulation program, buying out two mobile home parks, and the sales assistance program.

The airport already has banked the \$35 million that constitutes its 20 percent share of the program cost. The FAA will fund the rest and has already given the airport \$48 million in AIP grants.

The residential sound insulation program, which 1,700 homes are eligible for, is already underway. The 2008 ROD approved sound insulation for the 65 DNL contour, plus the adjacent houses in the same neighborhoods out to the next natural boundary.

Dania Beach voided a similar settlement agreement in 2012 (24 ANR 62) after the FAA refused to allow Airport Improvement Program funds to be used for the C&R. The agency said the County could not justify how it arrived at the 20 percent of fair market figure for compensating homeowners proposed in the initial settlement agreement.

So, the Broward County hired Randall Bell of the Laguna, CA, firm Bell Anderson & Sanders, who is a leading expert in determining diminution of home value. He conducted a study of homes around the airport and calculated the noise from the runway extension would reduce the value of homes that were not sound insulated by 21.9 percent and those that were insulated by 14.4 percent.

The FAA was satisfied that there was some rational basis for those figures and is expected to approve the revised settlement agreement.

Pending Litigation Would Be Dropped

Under the proposed settlement, Dania Beach would drop two pending lawsuits over the runway expansion. One lawsuit is in U.S. District Court for the Southern District of Florida challenging the U.S. Army Corps of Engineers' permit for filling the wetlands where the extended south runway will be located.

Dania Beach also filed a separate motion in Broward County Circuit Court asking it to hold Broward County in contempt for not abiding by the terms of a 1996 Final Stipulated Judgment under which the County agreed to operational restrictions (limits on night flights, the size of aircraft, and the direction of takeoffs and landings as part of a 1995 Interlocal Agreement between the County and City).

AIRPORT NOISE REPORT

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Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 37

November 1, 2013

NextGen

QUEENS QUIET SKIES SEEKS MEMBERSHIP ON FEDERAL NEXTGEN ADVISORY COMMITTEE

The fast-growing and politically savvy community group Queens Quiet Skies – which sprang up last year after an RNAV departure procedure from LaGuardia redirected aircraft over the New York City Borough of Queens – wants to be appointed to the federal NextGen Advisory Committee to represent all communities in the country affected by NextGen procedures.

The NAC is a 28-member federal advisory committee that was formed in September 2010 to provide advice on policy-level issues facing the aviation community in implementing NextGen.

“We believe that decisions about NextGen procedures would have a better chance of being accepted by all stakeholders if representatives of those stakeholders participated in the decision-making process,” Queens Quiet Skies (QQS) President Janet McEaney told FAA Administrator Michael Huerta in an Oct. 27 letter.

“Appointing more public members to the NAC would mean better communication of the Agency’s goals to the public and a greater likelihood of acceptance of those goals,” she argued.

(Continued on p. 147)

ACRP

TRB LAUNCHES UNIQUE NEXTGEN INITIATIVE WITH ISSUANCE OF RFP FOR NEXTGEN PRIMER

The Transportation Research Board has launched a unique NextGen Initiative under its Airport Cooperative Research Program (ACRP).

It is comprised of five distinct but cross-pollinated projects that will be conducted simultaneously with the goal of better explaining how NextGen technologies will modernize the national airspace and the effects it will have on efficiency, environment, safety, reliability, and airport planning and design.

On Oct. 29, TRB issued a Request for Proposals (RFP) seeking a contractor for ACRP Project 01-27, a \$600,000, 20-month effort to develop a NextGen Primer that will consist of:

- A resource guide for airport practitioners;
- A primer for airport decision makers; and
- A public information toolkit that can be used by airport operators “to communicate high-level, universal facts about NextGen and airports to local pilots, community members, local leaders, and the flying public.”

The RFP closing date is Jan. 7, 2014.

RFPs have not been issued yet for the other four projects under the Initiative:

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Queens, from p. 146

“There has been strong opposition to the new NextGen procedures from communities throughout the country,” McEneaney wrote. “Not coincidentally, I think, most NAC members represent the aviation industry, in one form or another, and the government. Only one current member is described variously as either the ‘community’ or the ‘environmental’ member.”

That NAC member is Mayor Arlene Mulder, who recently retired from her 20-year tenure as mayor of the Village of Arlington Heights, IL, but still serves as chair of the O’Hare Noise Compatibility Commission, which was established by former Chicago Mayor Richard Daley in 1996 mainly to distribute sound insulation funds to communities near the airport.

ONACC is comprised of heads of school districts and mayors of communities near O’Hare but is not a grass-roots community organization, such as Queens Quiet Skies and other similar groups that represent residents directly impacted by the noise from NextGen RNAV and RNP procedures and are forming in response to them.

“Among our members, there are quite a few who possess the skills, knowledge and background necessary to work effectively with the NAC. Our organization can provide balance and depth of knowledge from differing perspectives that I believe will be an asset,” McEneaney told the FAA Administrator.

Indeed, McEneaney’s resume and skill-set seems tailor-made to represent community groups on the NAC: she is a professional arbitrator and mediator and an attorney. QQS Vice President Robert Whitehair participated in San Francisco International Airport’s venerable Community Roundtable, considered one of the most successful in the country. Rebecca Sheehan, legislative counsel to NY Sen. Tony Avella (D), who was instrumental in establishing QQS, also works closely with the group.

Also providing support to Queens and QQS is Rebecca Bratspies, director of CUNY Law School’s Center for Urban Environmental Reform. Her Environmental Law class worked with Queens Community Board 11 to analyze the new flight patterns brought about by the RNAV departure from LaGuardia that caused the noise problem.

FAA issued a categorical exclusion (CATEX) from environmental review on the RNAV after using the Terminal Area Route Generation Evaluation and Traffic Simulation (TARGETS) tool to screen for possible noise impacts. QQS wants a full environmental review of the procedure done.

Queens Quiet Skies began with three people in a booth at the back of a diner in Queens and now has 500 dues-paying members and a newsletter distributed to 2,000 people, McEneaney told ANR. Her group exhibits the tenacity evident in many of the community groups forming in response to the noise impact of NextGen procedures.

“We are holding FAA’s feet to the fire,” she said, “and we intend to keep them there.”

Forming Roundtable with PANYNJ

Meanwhile, QQS also is seeking to have input on NextGen procedures at a more local level.

McEneaney is in the process of forming an airport/community roundtable with the Port Authority of New York and New Jersey, similar to those operating at other large airports, such as San Francisco, Oakland, and Chicago O’Hare International.

“FAA Regional Administrator Carmine Gallo has agreed to participate in a formal roundtable with the understanding that we will have to work out some details,” McEneaney told ANR.

Gallo told her in a Sept. 11 letter that FAA could not engage in the new roundtable unless “it provides a voice for all stakeholders.” As with other airport/community roundtables, FAA will serve only in an advisory capacity.

In July, NY Sens. Charles Schumer (D) and Kirsten Gillibrand (D) and 10 congressional representatives of communities in the NY City area urged the PANYNJ to establish an airport advisory committee to address ongoing concerns residents have about noise and other airport issues (25 ANR 99).

“The Port Authority remains willing to participate in community roundtables held by the FAA, which has authority over flight routes at the nation’s airports,” a PA spokesman told ANR.

Last week, QQS held the first meeting of a community coordinating committee to firm up the roundtable proposal it has developed.

“The people at the meeting represented civic groups and municipalities throughout the NY/NJ metro area,” McEneaney told ANR. “The meeting was held at the office of NY Sen. Tony Avella. I have suggested dates in late November to the FAA and PA for a first meeting to begin serious discussions.”

*Aircraft***LUFTHANSA MODIFYING A320’S TO CUT NOISE ON APPROACH**

Lufthansa said Oct. 29 that its modifying 157 of its A320 aircraft with vortex generators – small metal vanes placed on aircraft wings – developed by Airbus especially for the A320 family that will reduce the total noise generated on approach by up to two decibels.

The A320s connect Lufthansa’s hubs in Frankfurt and Munich with destination airports in its closely meshed European route network.

In April 2012, a German federal court upheld a total ban on night flights at Frankfurt from 11 p.m. to 5 a.m. and also reduced the number of flights from 150 to 133 during the shoulder hours (10 p.m. to 11 p.m. and 5 a.m. to 6 a.m.).

Lufthansa said that the Airbus vortex generators are based on the findings of research carried out by Lufthansa and the German Aerospace Center.

“Flyover measurements showed that the vortex generators eliminate two unpleasant tones and therefore reduce the total noise generated by the approaching plane by up to two decibels. They can be fitted both to aircraft already in service as well as to the new Airbus A319, A320 and A321 models, which are still to be delivered,” according to Lufthansa.

“By fitting these vortex generators to our Airbus short and medium-haul fleet, we are continuing to invest in active noise protection,” said Kay Kratky, Member of the Lufthansa German Airlines Board, Operation & Hub Frankfurt.

“In addition to the extensive modernization of our fleet over the next few years, this is one of several steps that we are taking to reduce noise. It shows our commitment to working towards a balance between the interests of aviation and local residents, especially at our hubs.”

The tones that the vortex generators will eliminate are created on the underside of the wing by the pressure equalization vents for the fuel tanks, Lufthansa explained. Airflows passing over them in flight have an effect like blowing across the mouth of a bottle. The new components create a vortex in front of these vents and so prevent the noise.

The modification of the existing fleet is to start in early 2014. All new deliveries of the A320 and A321 for Lufthansa will be fitted as standard with the vortex generators in future.

Part 150 Program

FAA APPROVES NOISE PROGRAM FOR TUCSON INT’L AIRPORT

The Federal Aviation Administration announced Oct. 31 that it gave its overall approval to the Part 150 Airport Noise Compatibility Program for Tucson International Airport.

Approval was granted for four Land Use Planning Elements and one Program Management Element:

- Work with the City of Tucson to review and if necessary modify the boundaries of the Airport Environs Zone (AEZ) Overlay;
- Work with the City of Tucson to review and if necessary modify the land use regulations within the AEZ Overlay as defined in Section 2.8.5 of the City of Tucson Land Use Code;
- Work with Pima County to review and if necessary modify the boundaries of the Airport Environs and facilities Overlay Zone (AEFZ);
- Work with Pima County to review and if necessary modify the land use regulations within the AEFZ Overlay as defined in Pima County Code; and
- Periodically review and if necessary, update the Noise Exposure Maps (NEM’S) and the Noise Compatibility Program (NCP).

Approval as a voluntary measure was given for two Noise Abatement Elements and one Program Management Element:

- Formalize an agreement with the Arizona Air National Guard (AANG) to limit nighttime/early morning and week-

end operations;

- Work with the AANG to develop restrictions on ground operations, including optimal orientation of aircraft during final checks prior to departure to reduce noise impacts, and
- Formalize and expand current public outreach programs.

One Noise Abatement Element and one Land Use Planning Element were disapproved for purposes of Part 150, since they did not reduce incompatible land uses or lacked a demonstrated noise benefit to non-compatible land uses exposed to noise levels in the yearly day/night average sound level (DNL) 65 noise contours:

- Study implementing an Optimized Profile Descent (OPD) procedure for one or more runway ends and
- Investigate opportunities to design Airport development in a manner that both reduces interior noise levels of the development and that acts as a barrier to shield neighboring communities from aircraft noise.

The FAA’s Record of Approval for the program will be available online at: http://www.faa.gov/airports/environmental/airport_noise/part_150/states/

ACRP, from p. 146

- ACRP 01-28, NextGen – Guidance for Engaging the Airport Community;
- ACRP 03-33, NextGen – Airport Planning;
- ACRP 03-34, NextGen – Understanding Optimal-Efficient Procedure Changes for Aircraft and Airspace; and
- ACRP 09-12, NextGen – Information Sharing and Geographic Information Systems Workshop.

ACRP will be coordinating and sharing the scope, ideas, and preliminary results of all five projects among the project research teams and project panel members. A workshop is planned for six-months into the NextGen Primer project in order to get feedback from other project participants and learn about their project plans.

The RFP for the ACRP Primer project is at <http://apps.trb.org/cmsfeed/TRBNetProjectDisplay.asp?ProjectID=3691>

In Brief...

San Diego Gets \$11.3 M Grant for SIP

San Diego International Airport received an FAA grant of \$11,372,400 for residential sound insulation. The grant, announced on Oct. 28, will allow the airport to continue its Quieter Home Program, one of the largest remaining airport residential sound insulation programs in the country. More than 2,600 neighborhood residences have been attenuated since the program began.

SW Florida Int’l Part 150 under Review

FAA announced on Oct. 28 that it is reviewing a proposed Part 150 Airport Noise Compatibility Program for Southwest Florida International Airport in Ft. Myers, FL.

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The public comment period on the proposed Part 150 program ends on Dec. 20.

FAA said it will approve or disapprove the program by April 19, 2014.

For further information, contact Allan Nagy in FAA's Orlando Airports District Office; tel: 407-812-6331. Copies of the proposed Part 150 Program and airport noise exposure maps are available for examination at the FAA's Orlando office.

Bob Hope Noise Maps Approved

FAA announced on Oct. 25 that noise exposure maps submitted by the Burbank-Glendale-Pasadena Airport Authority for Bob Hope Airport meet federal requirements. The maps depict existing conditions in 2012 and the forecast condition for 2017.

For further information, contact Victor Globa, an environmental protection specialist in FAA's Los Angeles Airports District Office; tel: 310-725-3637.

Port Commission Approves Sea-Tac 150 Update

On Oct. 22, the Port of Seattle Commission approved an update to the Part 150 Noise and Land-Use Compatibility Study for Seattle-Tacoma International Airport.

The study will be submitted to the FAA and the Port anticipates the FAA will issue their Record of Approval by late spring of 2014.

A copy of the Part 150 Study including all input received during the public comment period and responses to the input will be made available on the study's website by the end of the month. Go to <http://www.airport-sites.net/SEA-Part150/>

The Port said "Sea-Tac Airport is known for having one of the most comprehensive noise reduction programs in the nation and the latest Part 150 Study will help the Port to further minimize the impact of airport noise on its neighboring communities."

One of the specific goals of the Part 150 update is to address noise issues arising from the opening of a new third runway at Sea-Tac in 2008.

Comment Period on Env. Order Reopened

At the request of Airports Council International - North America, the FAA has reopened the comment period on its proposed environmental Order 1050.1F until Nov. 8.

The comment period originally closed on Sept. 30, the agency explained in its Oct. 31 announcement.

The draft update to FAA's environmental order includes controversial legislative categorical exemptions from environmental review for RNAV/RNP procedures (25 ANR 102).

AIRPORT NOISE REPORT

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Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 38

November 8, 2013

Santa Monica Airport

SANTA MONICA SUES FAA TO ESTABLISH RIGHT TO CONTROL FUTURE OF AIRPORT

On Oct. 31, the City of Santa Monica sued the Federal Aviation Administration (FAA) to establish the City's right to control the future use of Santa Monica Airport property, which the City has long owned.

The lawsuit – *City of Santa Monica v. FAA* (No. CV13-08046) – was filed in U.S. District Court for the Central District of California in Los Angeles.

The lawsuit asks the court to declare that the City holds clear title to the airport land. And it also challenges, as unconstitutional, the FAA's claim that the City must continue to operate the airport indefinitely, even after contracts establishing the City's airport obligations expire.

In 1984, the City and FAA entered into a Settlement Agreement with the FAA that obligates the City to operate the Airport until 2015, the City explained in a press release. It continues:

In anticipation of the expiration of that contract, the City undertook a three-year Airport Visioning Process, intended to identify options for the Airport's future. Hundreds of community members participated in this three-phased process
(Continued on p. 151)

Minneapolis-St. Paul Int'l

CONSENT DECREE EXTENDED TO COVER HOMES MOVING INTO 60-64 CONTOUR BY 2020

A Minnesota state court judge has agreed to extend through 2024 the provisions of a 2007 legal consent decree that provides sound insulation to homes in the 60-64 DNL contour of Minneapolis-St. Paul International Airport.

The extension will provide some form of sound insulation to an estimated 1,131 homes in southwest Minneapolis forecast to be added to the 60-64 DNL contour of Minneapolis-St. Paul International Airport by 2020.

MSP International and Cleveland Hopkin's International are the only two airports in the U.S. that extend their residential sound insulation program out to the 60 DNL contour.

The MSP Metropolitan Airports Commission (MAC) has already spent \$95 million to provide sound insulation to 6,659 homes in MSP's 60-64 DNL contour that were covered in the original consent decree, which was set to expire on Sept. 1, 2014.

The extension of the 2007 consent decree to 2024 was developed in conjunction with MSP's 2020 long-term comprehensive plan. The signatories to the 2007 consent decree – the cities of Minneapolis, Richfield, Eagan, the Minneapolis Public

(Continued on p. 152)

In This Issue...

Santa Monica ... City sues FAA to establish right to control future use of airport land. FAA asserts city is obligated to keep airport open forever by document transferring airport back to city after WWII - p. 150

MSP ... Judge approves extension of consent decree to provide sound insulation to homes that will move into airport's 60-64 DNL contour by 2020 - p. 150

Helicopters ... FAA brokers agreement with tour operators to reduce hours of operation and numbers of flights out of NJ heliport - p. 151

Sound Insulation ... NY congressional reps want sound insulation for Queens schools impacted by noise from RNAV departure out of LaGuardia - p. 152

Conferences ... N.O.I.S.E. holding aviation policy summit, community involvement workshop in conjunction with NLC Congress and Expo in Seattle - p. 154

Helicopters, from p. 150

– the largest ever conducted by the City. In April of this year, the Council received a comprehensive report on the results.

After considering the report and conducting a lengthy public hearing, the City Council directed City staff to report back in March of 2014 for further public discussion and a decision about the future use of the Airport land. Meanwhile, the Council also directed staff to continue to explore any and all possibilities for a voluntary agreement with the federal government that might modify Airport operations so as to significantly curtail adverse impacts on the community.

Since then, City representatives have continued to meet with FAA representatives in Washington. City Manager Rod Gould explains, “We met in Washington many times, and conveyed community concerns and proposed possibilities for changes, including operational changes, that could significantly reduce many of the Airport’s adverse impacts. The FAA representatives were polite and respectful. But, they were simply unwilling or unable to agree to any changes that could bring significant relief to Airport neighbors. They believe that the City is legally obligated to continue operating the Airport as it now operates and to keep operating it forever because of the post-War transfers.”

The City has owned and operated the Airport since the 1920’s. During World War II, the City leased it to the federal government for a nominal amount in support of the war effort. During the War, the City and the federal government worked together to expand and improve the Airport; and, after the war, when the federal leases expired, the Airport was returned to the City through an Instrument of Transfer.

The federal government claims that the Instrument of Transfer obligates the City to operate the Airport “in perpetuity” (forever) or forfeit its ownership interest to the federal government. The City disputes this claim based, in part, on the City’s near 100-year ownership of the Airport land, the fact that the Airport was merely leased (not sold), and constitutional guarantees that prohibit commandeering property without compensation and forcing local governments to perform the federal government’s work.

Legal Questions Need Answered

Speaking of the lawsuit, Santa Monica Mayor Pam O’Connor said, “We need to get these legal questions answered. The community expects us to protect their health, safety and welfare. And, of course, the community’s demands for relief from Airport impacts have only increased since last month’s terrible crash. We need the court to decide whether the City has control over its land so that, next year, we can make a decision about the Airport’s future. Because this dispute is unique and incredibly important, the City Council directed the City Attorney and her staff to partner with the best outside legal team they could find.”

The City Attorney and senior members of her office conducted a competitive process that resulted in the City hiring Morrison & Foerster - a global firm with sixteen offices and

more than 1,000 attorneys.

Explained City Attorney Marsha Moutrie, “We were particularly impressed with the Morrison & Foerster team’s litigation credentials, aviation experience, and appellate expertise. I’m certain that they will provide excellent representation in this singularly important case. And we look forward to working with them to resolve the dispute about the City’s authority to control the use of its Airport land.”

The case will be heard in Federal District Court in Los Angeles. Federal rules give the federal government 60 days to respond to the City’s complaint.

Helicopters

FAA BROKERS AGREEMENT REDUCING HELICOPTER OPS

Following a conference call with FAA Eastern Regional Administrator Carmine Gallo, U.S. Senator Robert Menendez and Congressman Albio Sires On Oct. 29 announced an agreement to reduce both the flight hours and the number of helicopters operating out of Paulus Hook Heliport.

Paulus Hook Heliport is located in Jersey City, NJ, across the Hudson River from Lower Manhattan. It is the base of many helicopter tour operations over the Manhattan skyline, which have increasingly disturbed residents of communities on the NJ side of the river.

Gallo also agreed to convene a technical meeting within the next month to develop a broader plan to address the concerns of NJ residents.

Menendez and Sires have been calling for tourist helicopter restrictions to protect quality of life and safety in New Jersey communities along the Hudson River.

“I appreciate the FAA’s efforts in response to our concerns about tourist helicopters flights, and I’m glad that the Paulus Hook heliport operations will be restricted from operating at night and limited to only operating one flight at a time – particularly given that the operator already lacked the approvals needed to operate more than one flight simultaneously,” said Sen. Menendez.

“But there is still more work to be done to ensure tourist helicopter flights don’t continue flying over New Jersey riverfront communities at unacceptable altitudes. It is my hope that this work is done as quickly as possible, and that any other interim steps to protect the quality of life and safety of New Jersey residents are taken expeditiously.”

“While I am pleased that the FAA is taking steps to reduce helicopter flights and the hours during which they occur over New Jersey, there is still much to be done,” said Congressman Sires. “I expect the FAA to begin working immediately with government officials, industry stakeholders, and members of the community living along the Hudson River waterfront to find ways to mitigate flight patterns so that residents in the 8th Congressional district can once again have peace of mind.”

As a result of repeated concerns raised by Menendez and Sires, the FAA, working with Goldman Sachs, which owns the Paulus Hook Helipad, and the helicopter operations council, brokered an agreement to ensure that the Paulus Hook helicopter operation conforms to its agreement with the State of New Jersey and limits its helicopter flights to one helicopter at a time, instead of three at a time, which it had unilaterally decided to operate.

Additionally, hours of operation will be restricted to Monday through Saturday, 9:00 a.m. to 7:00 p.m. and Sunday 9:00 a.m. to 5:00 p.m., instead of 11:00 p.m. which had caused such disruption in resident quality of life.

“I thank Administrator Gallo for taking the time to speak with us today and for ensuring that the operation of the heliport at Paulus Hook conforms to its agreement with the State of New Jersey. This is a great first step in reducing noise and nuisance over our New Jersey communities,” said Sen. Menendez. “I look forward to other interim steps that we can take until the issue is totally resolved and our communities on the Hudson River can return to a sense of normalcy.”

On July 29, Menendez and Sires met with local residents from affected communities, local officials as well as representatives from the FAA to press for a solution to the noise and traffic from tourist helicopters flying at altitudes half as low as they fly in New York City and as late as 11 in the evening (25 ANR 87).

At the end of August, the FAA held a symposium at the request of Menendez and Sires on the impact of tourist helicopters.

In late September, the pair wrote Regional Administrator Gallo and again called for a helicopter flight restriction plan that could be swiftly implemented and would include fewer flights as well as keeping flights further from shore, higher in altitude, and with strict adherence to time constraints while keeping public safety a paramount concern (25 ANR 126).

MSP, from p. 150

Housing Authority, and the MAC – all agreed to the extension in May.

The Federal Aviation Administration indicated to the MAC that the extension of its sound insulation program for homes in the 60-64 DNL contour was acceptable because it would be part of an amended consent decree.

The judge has approved the amendment to the consent decree so it is now a binding legal obligation. No further action by the FAA is necessary, MAC spokesman Patrick Hogan told ANR.

He also noted that homes eligible for insulation under the extension of the consent decree also do not have to meet FAA’s new 45 dB DNL interior sound level criteria for sound insulation.

“Under this program and through the year 2020, homes do not have to meet the new 45 DNL noise level requirement because the program stems from court action. Essentially, if a home comes into the 60 DNL or if a home moves from one

contour to another and remains at that higher level for three consecutive years, it would be eligible for mitigation based on the program approved under the original consent decree,” Hogan explained.

Even though the consent decree was extended until September 2024, Hogan referred to the year 2020 because the consent decree requires that homes must be shown by noise analysis (based on one year old data) to be in MSP’s 60-64 contour for three years in order to be eligible for insulation. So, homes moving into the 60-64 DNL contours beyond 2020 could not meet those criteria.

Hogan stressed that the Environmental Assessment on MSP’s 2020 improvement program found that it would have no significant environmental impacts.

“Most of the anticipated increase in noise will occur whether or not we make improvements to the airport, simply as a consequence of increased demand and flight activity,” he told ANR.

Under the consent decree, 6,659 homes in the airport’s 60-64 DNL contour received some form of sound insulation depending on whether they were located in the 60-62 DNL contour or the 63-64 DNL contour.

Homes in the 63-64 DNL contour are eligible for the “Five-Decibel Reduction Package” that includes acoustical windows and doors, insulation, and air conditioning.

Homes in the 60-62 DNL contour are eligible for one of two mitigation options:

- If no central air conditioning exists in the home as of April 1, 2013, the MAC will install central air conditioning and provide up to \$4,000 (in 2007 dollars) of noise mitigation products and services from the “Mitigation Menu,” including installation costs;

- If central air conditioning exists in the home as of April 1, 2013, or if central air conditioning does not exist but the homeowner chooses not to receive it, the MAC will provide a total of \$14,000 (in 2007 dollars) of noise products and services from the Mitigation Menu, including installation costs.

On Sept. 25, Hennepin County District Court Judge Ivy S. Bernhardson agreed to the extension of the 2007 consent decree, which ended litigation filed by the cities of Minneapolis, Richfield, and Eagan on airport noise impact.

PANYNJ

MENG, ISRAEL WANT SCHOOLS IMPACTED BY RNAV INSULATED

U.S. Reps. Grace Meng (D-NY) and Steve Israel (D-NY) called on the Port Authority of New York and New Jersey to look into soundproofing schools in northeast Queens in order to prevent constant interruptions due to airplane noise created by an RNAV departure procedure implemented last year at LaGuardia Airport.

In an Oct. 30 letter to Port Authority Executive Director Patrick Foye, the lawmakers urged his agency to work with

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Community District Education Council 26 (the school district in the area) to identify schools impacted by changes to aircraft routes and procedures, and to finance soundproofing the same way it has done with 45 other New York area schools affected by airplane noise.

“The barrage of increased aircraft noise over Queens continues to impact the quality of life in the borough, but it is imperative that we not let it affect our kids,” said Meng. “Our children should not be forced to attend schools where they need to wear earplugs during class. They deserve to be taught in quiet classrooms that are conducive to learning. For the sake of our kids’ education, it is critical that the Port Authority be responsive to reducing the impact of loud airplane noise over our schools.”

Rep. Israel said, “We must ensure that our children in Queens are able to learn without constant disruption from airplane noise. That’s why Rep. Meng and I are calling on the Port Authority to take the crucial step of soundproofing local schools where students are negatively impacted. It’s bad enough that the quality of life for many Queens residents is suffering due to new flight patterns; it’s even worse that it’s now affecting our children’s ability to learn.”

Conferences

N.O.I.S.E. HOLDING POLICY SUMMIT, WORKSHOP AS PART OF NLC CONGRESS

The National Organization to Insure a Sound-controlled Environment (N.O.I.S.E.) will hold its upcoming 2013 Aviation Policy Summit & Community Involvement Workshop on Nov. 13, in conjunction with the National League of Cities, 2013 Congress of Cities in Seattle.

The 2013 Aviation Policy Summit & Community Involvement Workshop is an afternoon policy workshop designed to encourage dialogue between aviation noise abatement experts and community leaders to learn from each other and share best practices. In the past, presenters have included a range of elected officials, community activists, sound insulation and land use planning experts, FAA representatives, and others.

“We strive to always provide a varied and worthwhile panel to our members,” said President of N.O.I.S.E., NLC Board Member, and Minneapolis Councilmember Sandy Colvin Roy. “As a community-based organization, we find it beneficial to highlight local communities and provide a forum for our participants to both learn and share their unique stories and experiences with each other. Understanding that each of our members have slightly different needs we also bring in policy and industry experts and are always open to speaker and topic suggestions to best address the dynamic needs of our group.”

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

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Airport Noise Report



5A weekly update on litigation, regulations, and technological developments

Volume 24, Number 40, 41

November 22, 2013

PFCs

\$3.29 BILLION OF TOTAL PFC REVENUE DEVOTED TO NOISE MITIGATION PROJECTS

At the end of fiscal year 2013, some \$3.29 billion (4 percent) of the \$87.34 billion in Passenger Facility Charges (PFCs) that the Federal Aviation Administration has approved for collection and use since 1992 has been designated for airport noise mitigation projects, according to data provided by the agency.

The total PFC revenue being earmarked for airport noise mitigation projects as of Nov. 1, 2013, was \$3.29 billion – an increase of \$62.2 million over the end of fiscal 2012 noise project total (24 ANR 136).

The FAA subdivides noise mitigation projects into six categories. Following is the total amount airports plan to collect for each category, as of Nov. 1, 2013, as well as the percentage that category represents of the total PFCs for noise mitigation being collected:

- \$1.36 billion (41.3 percent) for soundproofing projects;
- \$1.37 billion (41.8 percent) for multi-phase projects;
- \$506.2 million (15.4 percent) to purchase land;
- \$18.6 million (0.6 percent) for noise monitoring systems;
- \$15.2 million (0.5 percent) for planning; and
- \$15.5 million (0.5 percent) for miscellaneous projects.

107 Airports Using PFCs for Noise Mitigation

A total of 107 airports were using PFCs for noise mitigation projects at the end of fiscal 2013. Latrobe Arnold Palmer Regional Airport, located in Latrobe, PA, southwest of Pittsburgh, was the only new airport to use PFCs for noise mitigation projects in fiscal 2013.

The top 20 airports targeting PFC revenue for noise mitigation projects as of Nov. 1, 2013, are: Los Angeles International (\$822.5 million); Chicago O'Hare International (\$546.4 million); Chicago Midway (\$260.9 million); Phoenix Sky Harbor International (\$230.5 million); Minneapolis-St. Paul International (\$188.7 million); Seattle-Tacoma International (\$124.2 million); San Jose International (\$117.8 million); Bob Hope Airport (\$95.8 million); Ontario International (\$84.7 million); Cleveland Hopkins International (\$73.9 million); Charlotte-Douglas International (\$59.2 million); Louisville International (\$59.1 million); Lambert-St. Louis International (\$54.8 million); Milwaukee General Mitchell International (\$53.8 million); Las Vegas International (\$51.7 million); Detroit Metropolitan International (\$49.4 million); San Diego International (\$46.3 million); Indianapolis International (\$43.1 million); Ft. Lauderdale International (\$39.1 million); and Cincinnati/Northern Kentucky International (\$36.3 million).

PFCs are only one source of revenue that airports use to fund noise mitigation projects. The other funding stream is the FAA's Airport Improvement Program. Data on AIP grants for noise mitigation projects will be reported in next week's issue of ANR.

In This Issue...

PFCs ... This special issue of ANR provides data obtained from the FAA on airports that are collecting Passenger Facility Charges (PFCs) to support various noise mitigation projects.

The data show that 107 airports, one more than in FY 2012, imposed PFCs to address noise in FY 2013.

Approximately \$3.29 billion in PFCs has been imposed by airports for noise mitigation projects as of the end of fiscal year 2013, up \$62.2 million compared to the end of fiscal 2012.

Los Angeles International remains far ahead of other airports in using PFCs for noise mitigation projects (\$822.5 million), followed by Chicago O'Hare International (\$546.4 million).

Table 1, showing a breakdown of all airport projects being supported by PFCs, begins on p. 162.

Table 2, showing PFCs being collected by project type, begins on p. 163.

Table 3, showing PFCs being collected by individual airports, begins on p. 171.

APPROVED PASSENGER FACILITY CHARGES BY CATEGORIES
(as of Nov. 1, 2013)

<u>CATEGORY</u>	<u>PROJECT TYPE</u>	<u>AMOUNT</u>	<u>PERCENT</u>
<u>AIRSIDE</u> (19% w/o DIA)(18% w DIA)			
	RUNWAYS	\$ 7,202,995,333	46.1
	TAXIWAYS	\$ 2,562,701,330	16.4
	APRONS	\$ 1,622,371,177	10.4
	LAND	\$ 547,382,815	3.5
	EQUIPMENT	\$ 1,413,222,270	9.1
	PLANNING	\$ 624,318,457	4.0
	LIGHTING	\$ 416,997,780	2.7
	OTHER	\$ 1,222,284,204	7.8
	TOTAL	\$15,612,273,366	100
<u>LANDSIDE</u> (36% w/o DIA)(34% w DIA)			
	TERMINAL	\$26,430,771,560	87.8
	LAND	\$ 1,300,080,334	4.3
	SECURITY	\$ 2,364,582,327	7.9
	TOTAL	\$30,095,434,221	100
<u>NOISE</u> (4% w/o DIA)(4% w DIA)			
	LAND	\$ 506,289,632	15.4
	MULTI-PHASE	\$ 1,378,762,879	41.8
	SOUNDPROOFING	\$ 1,363,707,076	41.3
	MONITORING	\$ 18,647,831	0.6
	PLANNING	\$ 15,229,288	0.5
	OTHER	\$ 15,514,387	0.5
	TOTAL	\$ 3,298,151,093	100
<u>ACCESS</u> (6% w/o DIA)(6% w DIA)			
	ROADS	\$ 2,191,244,174	40.1
	RAIL	\$ 3,200,383,364	58.5
	LAND	\$ 11,661,760	0.2
	PLANNING	\$ 62,911,585	1.2
	TOTAL	\$ 5,466,200,883	
<u>INTEREST</u> (35%)(34% w/DIA)		\$29,732,906,671	100
SUBTOTAL		\$84,204,966,234	
DENVER (4%)		\$ 3,137,099,200	
PFC TOTAL		\$87,342,065,434	

SOURCE: FAA (PFC BRANCH)

PFC FUNDED NOISE PROJECTS (BY WORK CODE)
(as of Nov. 1, 2013)

CITY	STATE	PROJECT	AMOUNT	PFC LEVEL	IMPOSE	USE	PROJ. TOTAL
Birmingham	AL	Land	\$3,173,639	\$4.50	7/2/08	7/2/08	\$506,289,632
Birmingham	AL	Land	\$1,958,877	\$4.50	3-31-10	3-31-10	
Huntsville	AL	Land	\$4,211,697	\$3.00	3/6/92	6/28/94	
Huntsville	AL	Land	\$791,507	\$3.00	3/6/92	11/22/95	
Huntsville	AL	Land	\$265,804	\$3.00	3/6/92	5/28/97	
Huntsville	AL	Land	\$68,954	\$3.00	10/19/98	10/19/98	
Huntsville	AL	Land	\$154,239	\$4.50	10/30/02	10/30/02	
Mobile	AL	Land	\$421,383	\$3.00	2/22/02	2/22/02	
Mobile	AL	Land	\$126,333	\$3.00	3/1/06	3/1/06	
Mobile	AL	Land	\$140,993	\$3.00	3/1/06	3/1/06	
Mobile	AL	Land	\$230,906	\$3.00	3/1/06	3/1/06	
Mobile	AL	Land	\$103,394	\$3.00	3/1/06	3/1/06	
Mobile	AL	Land	\$232,192	\$3.00	3/1/06	3/1/06	
Juneau	AK	Land	\$21,931	\$4.50	5/30/01	5/30/01	
Phoenix	AZ	Land	\$27,327,877	\$3.00	6/5/02	6/5/02	
Tucson	AZ	Land	\$3,288,473	\$4.50	11/19/97	11/19/97	
Tucson	AZ	Land	\$396,888	\$4.50	11/19/97	11/19/97	
Fort Smith	AR	Land	\$90,756	\$3.00	5/8/94	7/24/97	
Little Rock	AR	Land	\$3,314,737	\$4.50	1/31/06	1/31/06	
Little Rock	AR	Land	\$1,421,452	\$4.50	1/15/10	1/15/10	
Burbank	CA	Land	\$27,829,178	\$3.00	6/17/94	2/5/97	
Fort Lauderdale	FL	Land	\$3,500,000	\$3.00	4/30/98	4/23/01	
Gainesville	FL	Land	\$144,869	\$4.50	8/29/02	8/29/02	
Jacksonville	FL	Land	\$6,000,000	\$3.00	9/6/06	9/6/06	
Pensacola	FL	Land	\$597,708	\$3.00	11/23/92	11/23/92	
Pensacola	FL	Land	\$69,480	\$3.00	11/23/92	8/10/95	
Sanford	FL	Land	\$199,189	\$4.00	7/12/12	7/12/12	
Sanford	FL	Land	\$73,775	\$4.00	7/12/12	7/12/12	
Sanford	FL	Land	\$65,789	\$4.00	7/12/12	7/12/12	
Sarasota	FL	Land	\$1,474,904	\$3.00	6/29/92	1/31/95	
Sarasota	FL	Land	\$3,063,506	\$3.00	6/29/92	12/15/95	
Tallahassee	FL	Land	\$3,128,225	\$3.00	3/3/98	3/3/98	
West Palm Beach	FL	Land	\$1,000,000	\$3.00	1/26/94	8/29/96	
West Palm Beach	FL	Land	\$2,302,300	\$3.00	1/26/94	8/29/96	
West Palm Beach	FL	Land	\$374,616	\$3.00	1/26/94	6/11/97	
West Palm Beach	FL	Land	\$1,387,548	\$3.00	1/26/94	6/11/97	
West Palm Beach	FL	Land	\$5,000,000	\$3.00	1/26/94	6/11/97	
West Palm Beach	FL	Land	\$2,000,000	\$3.00	8/22/00	12/13/02	
Atlanta	GA	Land	\$7,280,374	\$4.50	11/29/07	11/29/07	
Bloomington	IL	Land	\$35,000	\$3.00	12/5/97	12/5/97	
Moline	IL	Land	\$335,915	\$4.50	9/29/94	9/29/94	
Moline	IL	Land	\$365,084	\$4.50	3/12/98	3/12/98	
Peoria	IL	Land	\$382,426	\$3.00	9/8/94	9/8/94	
Peoria	IL	Land	\$145,441	\$4.50	2/3/00	2/3/00	
Springfield	IL	Land	\$24,740	\$3.00	3/27/92	4/28/93	

CITY	STATE	PROJECT	AMOUNT	PFC LEVEL	IMPOSE	USE	PROJ. TOTAL
Springfield	IL	Land	\$12,275	\$3.00	3/27/92	4/28/93	
Springfield	IL	Land	\$24,897	\$3.00	3/27/92	4/28/93	
Springfield	IL	Land	\$14,721	\$3.00	3/27/92	4/28/93	
Springfield	IL	Land	\$551	\$3.00	3/27/92	4/28/93	
Springfield	IL	Land	\$88,167	\$3.00	11/24/93	3/11/97	
Indianapolis	IN	Land	\$42,532,859	\$3.00	6/28/93	6/28/93	
Louisville	KY	Land	\$58,800,000	\$3.00	1/29/97	1/29/97	
Minneapolis	MN	Land	\$21,500,000	\$3.00	5/13/94	5/13/94	
Minneapolis	MN	Land	\$33,136,470	\$4.50	5/5/05	5/5/05	
Kansas City	MO	Land	\$10,766,850	\$3.00	12/21/95	12/21/95	
St. Louis	MO	Land	\$22,177,178	\$3.00	9/30/92	9/30/92	
St. Louis	MO	Land	\$31,962,604	\$3.00	1/31/96	1/8/98	
Las Vegas	NV	Land	\$10,654,182	\$4.50	2/24/92	3/15/95	
Las Vegas	NV	Land	\$7,991,645	\$4.50	2/24/92	2/24/92	
Las Vegas	NV	Land	\$5,250,000	\$3.00	2/24/92	6/7/93	
Las Vegas	NV	Land	\$26,250,000	\$4.50	2/24/92	6/7/93	
Las Vegas	NV	Land	\$1,440,492	\$4.50	2/24/92	6/7/93	
Charlotte	NC	Land	\$52,270,000	\$3.00	8/23/04	8/23/04	
New Bern	NC	Land	\$30,293	\$4.50	5/11/06	5/11/06	
Fargo	ND	Land	\$361,548	\$4.50	10/11/06	10/11/06	
Akron	OH	Land	\$19,210	\$3.00	10/21/96	10/21/96	
Akron	OH	Land	\$14,635	\$3.00	10/21/96	10/21/96	
Akron	OH	Land	\$5,293	\$3.00	10/21/96	10/21/96	
Akron	OH	Land	\$21,334	\$3.00	10/21/96	10/21/96	
Akron	OH	Land	\$12,911	\$4.50	4/4/02	4/4/02	
Cleveland	OH	Land	\$7,137,600	\$3.00	9/1/92	2/2/94	
Cleveland	OH	Land	\$25,282,298	\$3.00	4/25/97	4/25/97	
Columbus	OH	Land	\$119,600	\$3.00	7/14/92	3/27/96	
Columbus	OH	Land	\$379,070	\$3.00	7/14/92	3/27/96	
Columbus	OH	Land	\$519,723	\$3.00	7/14/92	3/27/96	
Dayton	OH	Land	\$309,206	\$4.50	7/25/94	7/25/94	
Allentown	PA	Land	\$244,387	\$4.50	3/26/01	3/26/01	
Allentown	PA	Land	\$220,475	\$4.50	3/26/01	3/26/01	
Allentown	PA	Land	\$91,944	\$4.50	6/6/03	6/6/03	
Erie	PA	Land	\$242,373	\$4.50	5/13/03	5/13/03	
Providence	RI	Land	\$10,382,213	\$4.50	11/27/00	11/27/00	
Providence	RI	Land	\$12,658,400	\$4.50	11/13/09	11/13/09	
Chattanooga	TN	Land	\$100,000	\$3.00	4/25/97	4/25/97	
Chattanooga	TN	Land	\$15,000	\$4.50	11/22/00	11/22/00	
Brownsville	TX	Land	\$181,860	\$4.50	5/7/07	5/7/07	
Harlingen	TX	Land	\$96,630	\$3.00	7/9/98	7/9/98	
Salt Lake City	UT	Land	\$465,488	\$3.00	10/1/94	10/1/94	
Salt Lake City	UT	Land	\$331,072	\$4.50	4/30/01	4/30/01	
Salt Lake City	UT	Land	\$524,408	\$4.50	2/28/02	2/28/02	
Burlington	VT	Land	\$836,481	\$4.50	1/31/12	1/31/12	
Lynchburg	VA	Land	\$17,762	\$3.00	4/14/95	4/14/95	
Roanoke	VA	Land	\$145,000	\$4.50	11/24/04	11/24/04	
Bellingham	WA	Land	\$166,000	\$3.00	4/29/93	4/29/93	

CITY	STATE	PROJECT	AMOUNT	PFC LEVEL	IMPOSE	USE	PROJ. TOTAL
Bellingham	WA	Land	\$732,000	\$3.00	10/5/94	10/5/94	
Bellingham	WA	Land	\$454,350	\$3.00	12/11/96	12/11/96	
Appleton	WI	Land	\$14,502	\$3.00	4/25/94	4/25/94	
Milwaukee	WI	Land	\$3,099,197	\$3.00	2/24/95	2/24/95	
Milwaukee	WI	Land	\$1,425,187	\$3.00	2/24/95	2/24/95	
Milwaukee	WI	Land	\$156,000	\$3.00	12/31/09	12/31/09	
Cheyenne	WY	Land	\$81,192	\$4.50	3/28/01	3/28/01	
Carlsbad	CA	Misc	\$18,226	\$4.50	11/24/08	11/24/08	\$15,514,387
Pensacola	FL	Misc	\$65,076	\$3.00	11/23/92	8/10/95	
Tampa	FL	Misc	\$1,692,110	\$4.50	5/16/03	5/16/03	
Chicago Midway	IL	Misc	\$11,493	\$3.00	6/28/93	6/28/93	
Chicago Midway	IL	Misc	\$297,707	\$3.00	6/28/93	6/28/93	
Chicago Midway	IL	Misc	\$2,057,107	\$3.00	2/22/00	2/22/00	
Chicago Midway	IL	Misc	\$2,500,000	\$3.00	4/18/02	4/18/02	
Chicago O'Hare	IL	Misc	\$42,389	\$3.00	6/28/93	6/28/93	
Chicago O'Hare	IL	Misc	\$2,993,028	\$4.50	6/28/96	6/28/96	
Indianapolis	IN	Misc	\$498,684	\$4.50	12/20/96	12/20/96	
Detroit	MI	Misc	\$225,000	\$3.00	9/21/92	9/21/92	
Columbus	OH	Misc	\$61,752	\$3.00	7/19/93	3/27/96	
Columbus	OH	Misc.	\$489,894	\$4.50	1/28/11	1/28/11	
Milwaukee	WI	Misc	\$50,000	\$3.00	3/8/01	3/8/01	
Milwaukee	WI	Misc	\$4,382,162	\$3.00	7/9/02	7/9/02	
Cheyenne	WY	Misc	\$129,759	\$4.50	3/28/01	3/28/01	
Fort Smith	AR	Monitoring	\$20,555	\$3.00	5/8/94	7/24/97	\$18,647,831
Burbank	CA	Monitoring	\$64,836	\$3.00	4/2/01	4/2/01	
Burbank	C	Monitoring	\$1,000,000	\$3.00	9/28/09	9/28/09	
Los Angeles	CA	Monitoring	\$3,450,000	\$3.00	9/23/05	9/23/05	
Oakland	CA	Monitoring	\$436,267	\$3.00	6/26/92	6/26/92	
Oakland	CA	Monitoring	\$200,000	\$3.00	10/23/09	10/23/09	
Sacramento	CA	Monitoring	\$662,000	\$3.00	4/26/96	4/26/96	
San Diego	CA	Monitoring	\$1,224,000	\$3.00	5/20/03	5/20/03	
San Jose	CA	Monitoring	\$183,775	\$3.00	6/11/92	6/11/92	
San Jose	CA	Monitoring	\$76,684	\$3.00	11/24/99	11/24/99	
San Jose	CA	Monitoring	\$221,000	\$3.00	12/15/00	12/15/00	
Fort Lauderdale	FL	Monitoring	\$658,000	\$3.00	11/1/94	4/30/98	
Chicago Midway	IL	Monitoring	\$325,000	\$3.00	6/28/93	6/28/93	
Chicago O'Hare	IL	Monitoring	\$3,900,000	\$3.00	6/28/93	9/16/94	
Chicago O'Hare	IL	Monitoring	\$1,000,000	\$3.00	8/17/06	8/17/06	
Covington	KY	Monitoring	\$140,000	\$3.00	3/30/94	3/30/94	
Covington	KY	Monitoring	\$125,000	\$3.00	7/26/02	7/26/02	
Louisville	KY	Monitoring	\$125,000	\$3.00	3/27/01	3/27/01	
Baltimore	MD	Monitoring	\$1,578,000	\$3.00	8/26/10	8/26/10	
Minneapolis	MN	Monitoring	\$230,273	\$3.00	5/13/94	5/13/94	
St. Louis	MO	Monitoring	\$100,000	\$3.00	11/24/08	11/24/08	
Charlotte	NC	Monitoring	\$225,403	\$3.00	9/15/11	9/15/11	
Columbus	OH	Monitoring	\$16,509	\$3.00	7/14/92	10/27/93	
Columbus	OH	Monitoring	\$33,000	\$3.00	1/28/11	1/28/11	
Portland	OR	Monitoring	\$715,750	\$3.00	12/7/05	12/7/05	

CITY	STATE	PROJECT	AMOUNT	PFC LEVEL	IMPOSE	USE	PROJ. TOTAL
Allentown	PA	Monitoring	\$30,556	\$4.50	3/26/01	3/26/01	
Nashville	TN	Monitoring	\$120,375	\$3.00	5/10/07	5/10/07	
Dallas/Ft. Worth	TX	Monitoring	\$1,266,151	\$3.00	11/7/96	11/7/96	
San Antonio	TX	Monitoring	\$245,153	\$3.00	2/22/05	2/22/05	
Milwaukee	WI	Monitoring	\$40,956	\$3.00	2/24/95	2/24/95	
Milwaukee	WI	Monitoring	\$160,000	\$3.00	12/31/09	12/31/09	
Jackson	WY	Monitoring	\$47,272	\$4.50	2/9/04	2/9/04	
Jackson	WY	Monitoring	\$26,316	\$4.50	4/8/08	4/8/08	
Phoenix	AZ	Multi-phase	\$75,000,000	\$4.50	12/6/04	12/6/04	\$1,378,762,879
Phoenix	AZ	Multi-phase	\$25,900,000	\$4.50	9/27/07	9/27/07	
Phoenix	AZ	Multi-phase	\$63,322,279	\$4.50	4/30/09	4/30/09	
Los Angeles	CA	Multi-phase	\$700,000,000	\$4.50	11/28/97	11/28/97	
Los Angeles	CA	Multi-phase	\$50,000,000	\$4.50	10/23/07	10/23/07	
Ontario	CA	Multi-phase	\$84,774,000	\$3.00	4/28/98	4/28/98	
Orlando	FL	Multi-phase	\$688,000	\$3.00	7/12/05	7/12/05	
Chicago O'Hare	IL	Multi-phase	\$586,857	\$4.50	6/28/93	6/28/93	
Des Moines	IA	Multi-phase	\$945,178	\$4.50	8/16/05	8/16/05	
Covington	KY	Multi-phase	\$21,317,000	\$3.00	3/30/94	3/30/94	
Covington	KY	Multi-phase	\$6,444,000	\$3.00	11/29/95	11/29/95	
Covington	KY	Multi-phase	\$3,303,000	\$3.00	3/28/01	3/28/01	
Lexington	KY	Multi-phase	\$45,544	\$4.50	8/31/93	4/21/95	
Lexington	KY	Multi-phase	\$111,360	\$4.50	8/31/93	9/27/96	
Baton Rouge	LA	Multi-phase	\$1,315,124	\$3.00	9/28/92	4/23/93	
New Orleans	LA	Multi-phase	\$3,750,000	\$4.50	8/26/04	8/26/04	
Detroit	MI	Multi-phase	\$48,871,000	\$3.00	9/21/92	9/21/92	
Minneapolis	MN	Multi-phase	\$103,237,546	\$3.00	5/13/94	5/13/94	
Manchester	NH	Multi-phase	\$1,400,000	\$3.00	10/13/92	3/4/96	
Buffalo	NY	Multi-phase	\$1,997,550	\$4.50	5/25/07	5/25/07	
Islip	NY	Multi-phase	\$671,891	\$3.00	9/23/94	9/23/94	
Charlotte	NC	Multi-phase	\$1,264,209	\$3.00	8/23/04	8/23/04	
Charlotte	NC	Multi-phase	\$3,941,093	\$3.00	8/23/04	8/23/04	
Toledo	OH	Multi-phase	\$1,676,083	\$4.50	1/16/98	1/16/98	
Tulsa	OK	Multi-phase	\$8,400,000	\$3.00	4/27/00	4/27/00	
Erie	PA	Multi-phase	\$118,518	\$3.00	7/21/92	7/21/92	
Knoxville	TN	Multi-phase	\$528,431	\$3.00	10/6/93	10/6/93	
Nashville	TN	Multi-phase	\$24,065,949	\$3.00	2/26/04	2/26/04	
Dallas Love	TX	Multi-phase	\$1,913,478	\$3.00	12/20/07	12/20/07	
Roanoke	VA	Multi-phase	\$240,850	\$4.50	5/16/11	5/16/11	
Seattle	WA	Multi-phase	\$14,939,111	\$3.00	8/13/92	8/13/92	
Seattle	WA	Multi-phase	\$43,000,000	\$3.00	12/29/95	12/29/95	
Seattle	WA	Multi-phase	\$50,000,000	\$3.00	6/24/98	10/16/01	
Milwaukee	WI	Multi-phase	\$34,994,828	\$3.00	12/21/95	12/21/95	
Mobile	AL	Planning	\$116,804	\$3.00	2/22/02	2/22/02	\$15,229,288
Mesa	AZ	Planning	\$11,175	\$4.50	9/25/08	9/25/08	
Burbank	CA	Planning	\$282,440	\$3.00	4/2/01	4/2/01	
Burbank	CA	Planning	\$116,460	\$3.00	6/16/06	6/16/06	
Modesto	CA	Planning	\$15,750	\$4.50	6/6/08	6/6/08	
Monterey	CA	Planning	\$50,130	\$3.00	7/14/98	7/14/98	

CITY	STATE	PROJECT	AMOUNT	PFC LEVEL	IMPOSE	USE	PROJ. TOTAL
Monterey	CA	Planning	\$15,000	\$4.50	2/7/08	2/7/08	
San Diego	CA	Planning	\$241,555	\$3.00	6/27/08	6/27/08	
Pueblo	CO	Planning	\$21,500	\$3.00	4/11/96	4/11/96	
New Haven	CT	Planning	\$5,431	\$4.50	8/18/11	8/18/11	
Fort Myers	FL	Planning	\$132,000	\$3.00	8/31/92	8/31/92	
Key West	FL	Planning	\$1,980	\$4.50	1/10/03	1/10/03	
Key West	FL	Planning	\$1,980	\$4.50	4/14/04	4/14/04	
Key West	FL	Planning	\$1,159	\$4.50	11/5/04	11/5/04	
Orlando	FL	Planning	\$21,919	\$3.00	8/28/95	8/28/95	
Sanford	FL	Planning	\$23,048	\$1.00	12/27/00	12/27/00	
Tallahassee	FL	Planning	\$129,330	\$3.00	3/3/98	3/3/98	
Chicago Midway	IL	Planning	\$1,425,000	\$3.00	7/5/95	7/5/95	
Chicago O'Hare	IL	Planning	\$5,700,000	\$3.00	6/28/96	6/28/96	
Rockford	IL	Planning	\$16,088	\$3.00	7/24/92	9/2/93	
Indianapolis	IN	Planning	\$75,000	\$3.00	12/20/96	12/20/96	
Manhattan	KS	Planning	\$16,036	\$3.00	3/8/12	3/8/12	
Covington	KY	Planning	\$337,000	\$3.00	3/30/94	3/30/94	
Covington	KY	Planning	\$344,215	\$3.00	3/31/98	3/31/98	
Covington	KY	Planning	\$1,088,000	\$3.00	11/8/01	11/8/01	
Detroit	MI	Planning	\$386,156	\$3.00	9/28/04	9/28/04	
Traverse City	MI	Planning	\$7,238	\$4.50	3/2/06	3/2/06	
Duluth	MN	Planning	\$17,255	\$3.00	7/1/94	7/1/94	
St. Louis	MO	Planning	\$600,000	\$3.00	11/24/08	11/24/08	
Missoula	MT	Planning	\$20,670	\$4.50	7/22/05	7/22/05	
Las Vegas	NV	Planning	\$167,495	\$3.00	2/24/92	2/24/92	
Reno	NV	Planning	\$339,994	\$3.00	5/31/01	5/31/01	
Albany	NY	Planning	\$45,000	\$3.00	9/27/96	9/27/96	
Charlotte	NC	Planning	\$1,250,000	\$3.00	8/23/04	8/23/04	
Charlotte	NC	Planning	\$294,500	\$3.00	9/15/11	9/15/11	
Akron	OH	Planning	\$4,146	\$3.00	10/21/96	10/21/96	
Akron	OH	Planning	\$27,001	\$3.00	10/21/96	10/21/96	
Akron	OH	Planning	\$2,722	\$3.00	10/18/99	10/18/99	
Cleveland	OH	Planning	\$584,570	\$3.00	4/25/97	4/25/97	
Columbus	OH	Planning	\$13,822	\$3.00	5/29/98	5/29/98	
Dayton	OH	Planning	\$700,000	\$4.50	5/9/02	5/9/02	
Allentown	PA	Planning	\$33,334	\$4.50	3/26/01	3/26/01	
Latrobe	PA	Planning	\$16,173	\$4.50	4/17/13	4/17/13	
State College	PA	Planning	\$10,000	\$3.00	5/26/99	5/26/99	
Nashville	TN	Planning	\$106,272	\$3.00	2/23/01	2/23/01	
Brownsville	TX	Planning	\$108,702	\$4.50	2/7/03	2/7/03	
Laredo	TX	Planning	\$15,786	\$3.00	7/23/93	12/31/96	
Burlington	VT	Planning	\$5,463	\$4.50	1/31/12	1/31/12	
Richmond	VA	Planning	\$15,931	\$3.00	7/3/97	7/3/97	
Roanoke	VA	Planning	\$2,458	\$4.50	11/24/04	11/24/04	
Milwaukee	WI	Planning	\$230,000	\$3.00	7/9/02	7/9/02	
Milwaukee	WI	Planning	\$35,600	\$3.00	9/8/11	9/8/11	
Mobile	AL	Soundproofing	\$77,557	\$3.00	4/18/13	4/18/13	\$1,363,707,076
Phoenix	AZ	Soundproofing	\$4,996,000	\$3.00	1/26/96	1/26/96	

CITY	STATE	PROJECT	AMOUNT	PFC LEVEL	IMPOSE	USE	PROJ. TOTAL
Phoenix	AZ	Soundproofing	\$34,048,279	\$4.50	6/5/02	6/5/02	
Burbank	CA	Soundproofing	\$43,525,109	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$730,774	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$437,200	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$770,931	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$429,490	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$16,000,000	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$4,570,000	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$113,000	\$4.50	5/27/04	5/27/04	
Fresno	CA	Soundproofing	\$444,400	\$3.00	9/18/96	9/18/96	
Long Beach	CA	Soundproofing	\$4,600,000	\$4.50	9/2/10	9/2/10	
Los Angeles	CA	Soundproofing	\$35,000,000	\$4.50	10/23/07	10/23/07	
Los Angeles	CA	Soundproofing	\$27,800,572	\$3.00	5/2/11	5/2/11	
Los Angeles	CA	Soundproofing	\$6,288,486	\$3.00	5/2/11		
Monterey	CA	Soundproofing	\$824,321	\$3.00	10/8/93	10/31/94	
Monterey	CA	Soundproofing	\$322,715	\$3.00	7/27/01	7/27/01	
Monterey	CA	Soundproofing	\$211,022	\$3.00	5/30/02	5/30/02	
Monterey	CA	Soundproofing	\$80,026	\$4.50	3/16/06	3/16/06	
Monterey	CA	Soundproofing	\$97,679	\$4.50	3/16/06	3/16/06	
Monterey	CA	Soundproofing	\$196,008	\$4.50	2/7/08	2/7/08	
Monterey	CA	Soundproofing	\$67,829	\$4.50	4/23/09	4/23/09	
Oakland	CA	Soundproofing	\$240,000	\$3.00	4/30/97	4/30/97	
Oakland	CA	Soundproofing	\$6,199,070	\$3.00	6/18/99	6/18/99	
San Diego	CA	Soundproofing	\$2,418,000	\$3.00	7/26/95	7/26/95	
San Diego	CA	Soundproofing	\$1,122,000	\$3.00	7/24/98	7/24/98	
San Diego	CA	Soundproofing	\$4,626,000	\$4.50	5/20/03	5/20/03	
San Diego	CA	Soundproofing	\$5,132,960	\$4.50	11/22/05	11/22/05	
San Diego	CA	Soundproofing	\$4,512,915	\$4.50	6/27/08	6/27/08	
San Diego	CA	Soundproofing	\$9,612,376	\$4.50	9/30/09	9/30/09	
San Diego	CA	Soundproofing	\$17,469,000	\$4.50	7/3/12	7/3/12	
San Jose	CA	Soundproofing	\$47,984,474	\$3.00	6/11/92	6/11/92	
San Jose	CA	Soundproofing	\$3,284,264	\$4.50	11/24/99	11/24/99	
San Jose	CA	Soundproofing	\$4,500,000	\$4.50	4/20/01	4/20/01	
San Jose	CA	Soundproofing	\$61,589,000	\$4.50	3/1/02	3/1/02	
Windsor Locks	CT	Soundproofing	\$1,450,000	\$4.50	11/3/08	11/3/08	
Windsor Locks	CT	Soundproofing	\$625,000	\$4.50	7/26/10	7/26/10	
Ft. Lauderdale	FL	Soundproofing	\$35,000,000	\$4.50	12/22/08	12/22/08	
Key West	FL	Soundproofing	\$350,000	\$3.00	8/31/99	8/31/99	
Key West	FL	Soundproofing	\$81,138	\$4.50	1/10/03	1/10/03	
Key West	FL	Soundproofing	\$70,715	\$4.50	1/10/03	1/10/03	
Key West	FL	Soundproofing	\$63,316	\$4.50	4/14/04	4/14/04	
Key West	FL	Soundproofing	\$200,239	\$4.50	11/5/04	11/5/04	
Key West	FL	Soundproofing	\$191,661	\$4.50	4/5/05	4/5/05	
Key West	FL	Soundproofing	\$56,536	\$4.50	2/10/10	2/10/10	
Key West	FL	Soundproofing	\$219,603	\$4.50	2/10/10	2/10/10	
Key West	FL	Soundproofing	\$33,038	\$4.50	2/20/20	2/10/10	
Key West	FL	Soundproofing	\$131,407	\$4.50	2/10/10	2/10/10	
Atlanta	GA	Soundproofing	\$23,800,000	\$4.50	3/12/10	3/12/10	

CITY	STATE	PROJECT	AMOUNT	PFC LEVEL	IMPOSE	USE	PROJ. TOTAL
Chicago Midway	IL	Soundproofing	\$4,900,000	\$3.00	6/28/93	6/28/93	
Chicago Midway	IL	Soundproofing	\$1,140,000	\$3.00	7/5/95	7/5/95	
Chicago Midway	IL	Soundproofing	\$8,000,000	\$4.50	11/15/96	11/15/96	
Chicago Midway	IL	Soundproofing	\$28,400,000	\$4.50	11/15/96	11/15/96	
Chicago Midway	IL	Soundproofing	\$10,000,000	\$4.50	2/22/00	2/22/00	
Chicago Midway	IL	Soundproofing	\$20,000,000	\$4.50	7/7/00	7/7/00	
Chicago Midway	IL	Soundproofing	\$50,000,000	\$4.50	4/18/02	4/18/02	
Chicago Midway	IL	Soundproofing	\$127,542,000	\$4.50	1/21/09	1/21/09	
Chicago Midway	IL	Soundproofing	\$4,303,049	\$4.50	1/21/09	1/21/09	
Chicago O'Hare	IL	Soundproofing	\$35,300,000	\$4.50	6/28/93	6/28/93	
Chicago O'Hare	IL	Soundproofing	\$113,271,731	\$4.50	6/28/96	6/28/96	
Chicago O'Hare	IL	Soundproofing	\$52,000,000	\$4.50	6/28/96	6/28/96	
Chicago O'Hare	IL	Soundproofing	\$20,000,000	\$4.50	3/16/98	3/16/98	
Chicago O'Hare	IL	Soundproofing	\$61,000,000	\$4.50	4/16/01	4/16/01	
Chicago O'Hare	IL	Soundproofing	\$30,000,000	\$4.50	4/16/01	4/16/01	
Chicago O'Hare	IL	Soundproofing	\$27,200,000	\$4.50	4/16/01	4/16/01	
Chicago O'Hare	IL	Soundproofing	\$4,000,000	\$4.50	12/28/05	12/28/05	
Chicago O'Hare	IL	Soundproofing	\$16,060,000	\$4.50	6/17/04	6/17/04	
Chicago O'Hare	IL	Soundproofing	\$2,440,000	\$4.50	6/17/04	6/17/04	
Chicago O'Hare	IL	Soundproofing	\$24,327,000	\$4.50	8/17/06	8/17/06	
Chicago O'Hare	IL	Soundproofing	\$13,875,325	\$4.50	8/17/06	8/17/06	
Chicago O'Hare	IL	Soundproofing	\$130,412,160	\$4.50	12/23/09	12/23/09	
Chicago O'Hare	IL	Soundproofing	\$2,317,696	\$4.50	12/7/10	12/7/10	
Peoria	IL	Soundproofing	\$289,013	\$3.00	9/8/94	9/8/94	
Covington	KY	Soundproofing	\$3,560,000	\$3.00	8/3/05	8/3/05	
Louisville	KY	Soundproofing	\$250,000	\$4.50	2/2/11	2/2/11	
Boston	MA	Soundproofing	\$15,323,217	\$4.50	8/24/93	1/27/97	
Boston	MA	Soundproofing	\$8,590,000	\$4.50	4/20/06	4/20/06	
Boston	MA	Soundproofing	\$5,200,000	\$4.50	4/20/06	4/20/06	
Saipan	MP	Soundproofing	\$80,648	\$4.50	10/15/04	10/15/04	
Rota	MP	Soundproofing	\$4,480	\$4.50	10/15/04	10/15/04	
Tinian	MP	Soundproofing	\$4,480	\$4.50	10/15/04	10/15/04	
Minneapolis	MN	Soundproofing	\$2,617,279	\$3.00	5/13/94	5/13/94	
Minneapolis	MN	Soundproofing	\$450,537	\$3.00	5/13/94	5/13/94	
Minneapolis	MN	Soundproofing	\$19,768,494	\$4.50	12/11/98	12/11/98	
Great Falls	MT	Soundproofing	\$431,271	\$4.50	4/12/12	4/12/12	
Reno	NV	Soundproofing	\$155,744	\$3.00	10/29/93	10/29/93	
Manchester	NH	Soundproofing	\$3,250,000	\$3.00	4/1/03	4/1/03	
Buffalo	NY	Soundproofing	\$3,058,930	\$4.50	12/17/09	12/17/09	
Syracuse	NY	Soundproofing	\$1,354,899	\$4.50	8/22/05	8/22/05	
Cleveland	OH	Soundproofing	\$22,362,400	\$3.00	9/1/92	9/1/92	
Cleveland	OH	Soundproofing	\$8,595,641	\$3.00	4/25/97	4/25/97	
Cleveland	OH	Soundproofing	\$10,000,000	\$3.00	5/28/99	5/28/99	
Columbus	OH	Soundproofing	\$20,323	\$3.00	7/14/92	10/27/93	
Columbus	OH	Soundproofing	\$71,974	\$3.00	7/14/92	10/27/93	
Columbus	OH	Soundproofing	\$60,547	\$3.00	7/14/92	10/27/93	
Columbus	OH	Soundproofing	\$269,810	\$3.00	7/19/93	3/27/96	
Columbus	OH	Soundproofing	\$906,369	\$4.50	5/29/98	5/29/98	

CITY	STATE	PROJECT	AMOUNT	PFC LEVEL	IMPOSE	USE	PROJ. TOTAL
Columbus	OH	Soundproofing	\$963,915	\$4.50	1/28/11	1/28/11	
Allentown	PA	Soundproofing	\$100,000	\$4.50	6/6/03	6/6/03	
Allentown	PA	Soundproofing	\$500,000	\$4.50	6/6/03	6/6/03	
Pittsburgh	PA	Soundproofing	\$700,541	\$4.50	7/27/01	7/27/01	
Pittsburgh	PA	Soundproofing	\$1,050,207	\$4.50	1/7/05	1/7/05	
San Antonio	TX	Soundproofing	\$21,302,247	\$4.50	8/29/01	12/1/04	
Seattle	WA	Soundproofing	\$16,134,627	\$3.00	10/25/93	10/25/93	
Seattle	WA	Soundproofing	\$153,212	\$3.00	10/25/93	10/25/93	
Milwaukee	WI	Soundproofing	\$2,290,230	\$3.00	12/21/95	12/21/95	
Milwaukee	WI	Soundproofing	\$6,953,470	\$3.00	12/31/09	12/31/09	
						Total:	\$3,298,151,093

PFC FUNDED NOISE PROJECTS (BY LOCATION)
(as of Nov. 1, 2013)

CITY	STATE	WORK CODE	AMOUNT	PFC LEVEL	IMPOSE	USE	TOTAL
Birmingham	AL	Land	\$3,173,639	\$4.50	7/2/08	7/2/08	\$5,132,516
Birmingham	AL	Land	\$1,958,877	\$4.50	3/31/10	3/31/10	
Huntsville	AL	Land	\$4,211,697	\$3.00	3/6/92	6/28/94	\$5,492,201
Huntsville	AL	Land	\$791,507	\$3.00	3/6/92	11/22/95	
Huntsville	AL	Land	\$265,804	\$3.00	3/6/92	5/28/97	
Huntsville	AL	Land	\$68,954	\$3.00	10/19/98	10/19/98	
Huntsville	AL	Land	\$154,239	\$4.50	10/30/02	10/30/02	
Mobile	AL	Land	\$421,383	\$3.00	2/22/02	2/22/02	\$1,449,562
Mobile	AL	Land	\$126,333	\$3.00	3/1/06	3/1/06	
Mobile	AL	Land	\$140,993	\$3.00	3/1/06	3/1/06	
Mobile	AL	Land	\$230,906	\$3.00	3/1/06	3/1/06	
Mobile	AL	Land	\$103,394	\$3.00	3/1/06	3/1/06	
Mobile	AL	Land	\$232,192	\$3.00	3/1/06	3/1/06	
Mobile	AL	Planning	\$116,804	\$3.00	2/22/02	2/22/02	
Mobile	AL	Soundproofing	\$77,557	\$3.00	4/18/13	4/18/13	
Juneau	AK	Land	\$21,931	\$4.50	5/30/01	5/30/01	\$21,931
Mesa	AZ	Planning	\$11,175	\$4.50	9/25/08	9/25/08	\$11,175
Phoenix	AZ	Land	\$27,327,877	\$3.00	6/5/02	6/5/02	\$230,594,435
Phoenix	AZ	Multi-phase	\$75,000,000	\$4.50	12/6/04	12/6/04	
Phoenix	AZ	Multi-phase	\$25,900,000	\$4.50	9/27/07	9/27/07	
Phoenix	AZ	Multi-phase	\$63,322,279	\$4.50	4/30/09	4/30/09	
Phoenix	AZ	Soundproofing	\$4,996,000	\$3.00	1/26/96	1/26/96	
Phoenix	AZ	Soundproofing	\$34,048,279	\$4.50	6/5/02	6/5/02	
Tucson	AZ	Land	\$3,288,473	\$4.50	11/19/97	11/19/97	\$3,685,361
Tucson	AZ	Land	\$396,888	\$4.50	11/19/97	11/19/97	
Fort Smith	AR	Land	\$90,756	\$3.00	5/8/94	7/24/97	\$111,311
Fort Smith	AR	Monitoring	\$20,555	\$3.00	5/8/94	7/24/97	
Little Rock	AR	Land	\$3,314,737	\$4.50	1/31/06	1/31/06	\$4,736,189
Little Rock	AR	Land	\$1,421,452	\$4.50	1/15/10	1/15/10	
Burbank	CA	Land	\$27,829,178	\$3.00	6/17/94	2/5/97	\$95,869,418
Burbank	CA	Monitoring	\$64,836	\$3.00	4/2/01	4/2/01	
Burbank	CA	Monitoring	\$1,000,000	\$3.00	9/28/09	9/28/09	
Burbank	CA	Planning	\$282,440	\$3.00	4/2/01	4/2/01	
Burbank	CA	Planning	\$116,460	\$3.00	6/16/06	6/16/06	
Burbank	CA	Soundproofing	\$43,525,109	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$730,774	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$437,200	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$770,931	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$429,490	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$16,000,000	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$4,570,000	\$4.50	4/2/01	4/2/01	
Burbank	CA	Soundproofing	\$113,000	\$4.50	5/27/04	5/27/04	
Carlsbad	CA	Misc	\$18,226	\$4.50	11/24/08	11/24/08	\$18,226
Fresno	CA	Soundproofing	\$444,400	\$3.00	9/18/96	9/18/96	\$444,400
Long Beach	CA	Soundproofing	\$4,600,000	\$4.50	9/2/19	9/2/10	\$4,600,000
Los Angeles	CA	Monitoring	\$3,450,000	\$3.00	9/23/05	9/23/05	\$822,539,058

CITY	STATE	WORK CODE	AMOUNT	PFC LEVEL	IMPOSE	USE	TOTAL
Los Angeles	CA	Multi-phase	\$700,000,000	\$4.50	11/28/97	11/28/97	
Los Angeles	CA	Multi-phase	\$50,000,000	\$4.50	10/23/07	10/23/07	
Los Angeles	CA	Soundproofing	\$35,000,000	\$4.50	10/23/07	10/23/07	
Los Angeles	CA	Soundproofing	\$27,800,572	\$3.00	5/2/11	5/2/11	
Los Angeles	CA	Soundproofing	\$6,288,486	\$3.00	5/2/11		
Modesto	CA	Planning	\$15,750	\$4.50	6/6/08	6/6/08	\$15,750
Monterey	CA	Planning	\$50,130	\$3.00	7/14/98	7/14/98	\$1,864,730
Monterey	CA	Planning	\$15,000	\$4.50	2/7/08	2/7/08	
Monterey	CA	Soundproofing	\$824,321	\$3.00	10/8/93	10/31/94	
Monterey	CA	Soundproofing	\$322,715	\$3.00	7/27/01	7/27/01	
Monterey	CA	Soundproofing	\$211,022	\$3.00	5/30/02	5/30/02	
Monterey	CA	Soundproofing	\$80,026	\$4.50	3/16/06	3/16/06	
Monterey	CA	Soundproofing	\$97,679	\$4.50	3/16/06	3/16/06	
Monterey	CA	Soundproofing	\$196,008	\$4.50	2/7/08	2/7/08	
Monterey	CA	Soundproofing	\$67,829	\$4.50	4/23/09	4/23/09	
Oakland	CA	Monitoring	\$436,267	\$3.00	6/26/92	6/26/92	\$7,075,337
Oakland	CA	Soundproofing	\$200,000	\$3.00	10/23/09	10/23/09	
Oakland	CA	Soundproofing	\$240,000	\$3.00	4/30/97	4/30/97	
Oakland	CA	Soundproofing	\$6,199,070	\$3.00	6/18/99	6/18/99	
Ontario	CA	Multi-phase	\$84,774,000	\$3.00	4/28/98	4/28/98	\$84,774,000
Sacramento	CA	Monitoring	\$662,000	\$3.00	4/26/96	4/26/96	\$662,000
San Diego	CA	Monitoring	\$1,224,000	\$3.00	5/20/03	5/20/03	\$46,358,806
San Diego	CA	Planning	\$241,555	\$3.00	6/27/08	6/27/08	
San Diego	CA	Soundproofing	\$2,418,000	\$3.00	7/26/95	7/26/95	
San Diego	CA	Soundproofing	\$1,122,000	\$3.00	7/24/98	7/24/98	
San Diego	CA	Soundproofing	\$4,626,000	\$4.50	5/20/03	5/20/03	
San Diego	CA	Soundproofing	\$5,132,960	\$4.50	11/22/05	11/22/05	
San Diego	CA	Soundproofing	\$4,512,915	\$4.50	6/27/08	6/27/08	
San Diego	CA	Soundproofing	\$9,612,376	\$4.50	9/30/09	9/30/09	
San Jose	CA	Monitoring	\$183,775	\$3.00	6/11/92	6/11/92	\$117,839,197
San Jose	CA	Monitoring	\$76,684	\$3.00	11/24/99	11/24/99	
San Jose	CA	Monitoring	\$221,000	\$3.00	12/15/00	12/15/00	
San Jose	CA	Soundproofing	\$47,984,474	\$3.00	6/11/92	6/11/92	
San Jose	CA	Soundproofing	\$3,284,264	\$4.50	11/24/99	11/24/99	
San Jose	CA	Soundproofing	\$4,500,000	\$4.50	4/20/01	4/20/01	
San Jose	CA	Soundproofing	\$61,589,000	\$4.50	3/1/02	3/1/02	
Pueblo	CO	Planning	\$21,500	\$3.00	4/11/96	4/11/96	\$21,500
New Haven	CT	Planning	\$5,431	\$4.50	8/18/11	8/18/11	\$5,431
Windsor Locks	CT	Soundproofing	\$1,450,000	\$4.50	11/3/08	11/3/08	\$2,075,000
Windsor Locks	CT	Soundproofing	\$625,000	\$4.50	7/26/10	7/26/10	
Fort Lauderdale	FL	Land	\$3,500,000	\$3.00	4/30/98	4/23/01	\$39,158,000
Fort Lauderdale	FL	Monitoring	\$658,000	\$3.00	11/1/94	4/30/98	
Fort Lauderdale	FL	Soundproofing	\$35,000,000	\$4.50	12/22/08	12/22/08	
Fort Myers	FL	Planning	\$132,000	\$3.00	8/31/92	8/31/92	\$132,000
Gainesville	FL	Land	\$144,869	\$4.50	8/29/02	8/29/02	\$144,869
Jacksonville	FL	Land	\$6,000,000	\$3.00	9/6/06	9/6/06	\$6,000,000
Key West	FL	Planning	\$1,980	\$4.50	1/10/03	1/10/03	\$1,402,772
Key West	FL	Planning	\$1,980	\$4.50	4/14/04	4/14/04	
Key West	FL	Planning	\$1,159	\$4.50	11/5/04	11/5/04	

CITY	STATE	WORK CODE	AMOUNT	PFC LEVEL	IMPOSE	USE	TOTAL
Key West	FL	Soundproofing	\$350,000	\$3.00	8/31/99	8/31/99	
Key West	FL	Soundproofing	\$81,138	\$4.50	1/10/03	1/10/03	
Key West	FL	Soundproofing	\$70,715	\$4.50	1/10/03	1/10/03	
Key West	FL	Soundproofing	\$63,316	\$4.50	4/14/04	4/14/04	
Key West	FL	Soundproofing	\$200,239	\$4.50	11/5/04	11/5/04	
Key West	FL	Soundproofing	\$191,661	\$4.50	4/5/05	4/5/05	
Key West	FL	Soundproofing	\$56,536	\$4.50	2/10/10	2/10/10	
Key West	FL	Soundproofing	\$219,603	\$4.50	2/10/10	2/10/10	
Key West	FL	Soundproofing	\$33,038	\$4.50	2/10/10	2/10/10	
Key West	FL	Soundproofing	\$131,407	\$4.50	2/10/10	2/10/10	
Orlando	FL	Planning	\$21,919	\$3.00	8/28/95	8/28/95	\$709,919
Orlando	FL	Multi-phase	\$688,000	\$3.00	7/12/05	7/12/05	
Pensacola	FL	Land	\$597,708	\$3.00	11/23/92	11/23/92	\$732,264
Pensacola	FL	Land	\$69,480	\$3.00	11/23/92	8/10/95	
Pensacola	FL	Misc	\$65,076	\$3.00	11/23/92	8/10/95	
Sanford	FL	Land	\$199,189	\$4.00	7/12/12	7/12/12	\$361,801
Sanford	FL	Land	\$73,775	\$4.00	7/12/12	7/12/12	
Sanford	FL	Land	\$65,789	\$4.00	7/12/12	7/12/12	
Sanford	FL	Planning	\$23,048	\$1.00	12/27/00	12/27/00	
Sarasota	FL	Multi-phase	\$1,474,904	\$3.00	6/29/92	1/31/95	\$4,538,410
Sarasota	FL	Land	\$3,063,506	\$3.00	6/29/92	12/15/95	
Tallahassee	FL	Land	\$3,128,225	\$3.00	3/3/98	3/3/98	\$3,257,555
Tallahassee	FL	Planning	\$129,330	\$3.00	3/3/98	3/3/98	
Tampa	FL	Misc	\$1,692,110	\$4.50	5/16/03	5/16/03	\$1,692,110
West Palm Beach	FL	Land	\$1,000,000	\$3.00	1/26/94	8/29/96	\$12,064,464
West Palm Beach	FL	Land	\$2,302,300	\$3.00	1/26/94	8/29/96	
West Palm Beach	FL	Land	\$374,616	\$3.00	1/26/94	6/11/97	
West Palm Beach	FL	Land	\$1,387,548	\$3.00	1/26/94	6/11/97	
West Palm Beach	FL	Land	\$5,000,000	\$3.00	1/26/94	6/11/97	
West Palm Beach	FL	Land	\$2,000,000	\$3.00	8/22/00	12/31/02	
Atlanta	GA	Land	\$7,280,374	\$4.50	11/29/07	11/29/07	\$31,080,374
Atlanta	GA	Soundproofing	\$23,800,000	\$4.50	3/12/10	3/12/10	
Bloomington	IL	Land	\$35,000	\$3.00	12/5/97	12/5/97	\$35,000
Chicago Midway	IL	Misc	\$11,493	\$3.00	6/28/93	6/28/93	\$260,901,356
Chicago Midway	IL	Misc	\$297,707	\$3.00	6/28/93	6/28/93	
Chicago Midway	IL	Misc	\$2,057,107	\$3.00	2/22/00	2/22/00	
Chicago Midway	IL	Misc	\$2,500,000	\$3.00	4/18/02	4/18/02	
Chicago Midway	IL	Monitoring	\$325,000	\$3.00	6/28/93	6/28/93	
Chicago Midway	IL	Planning	\$1,425,000	\$3.00	7/5/95	7/5/95	
Chicago Midway	IL	Soundproofing	\$4,900,000	\$3.00	6/28/93	6/28/93	
Chicago Midway	IL	Soundproofing	\$1,140,000	\$3.00	7/5/95	7/5/95	
Chicago Midway	IL	Soundproofing	\$8,000,000	\$4.50	11/15/96	11/15/96	
Chicago Midway	IL	Soundproofing	\$28,400,000	\$4.50	11/15/96	11/15/96	
Chicago Midway	IL	Soundproofing	\$10,000,000	\$4.50	2/22/00	2/22/00	
Chicago Midway	IL	Soundproofing	\$20,000,000	\$4.50	7/7/00	7/7/00	
Chicago Midway	IL	Soundproofing	\$50,000,000	\$4.50	4/18/02	4/18/02	
Chicago Midway	IL	Soundproofing	\$127,542,000	\$4.50	1/21/09	1/21/09	
Chicago Midway	IL	Soundproofing	\$4,303,049	\$4.50	1/21/09	1/21/09	
Chicago O'Hare	IL	Misc	\$42,389	\$3.00	6/28/93	6/28/93	\$546,426,186

CITY	STATE	WORK CODE	AMOUNT	PFC LEVEL	IMPOSE	USE	TOTAL
Chicago O'Hare	IL	Misc	\$2,993,028	\$4.50	6/28/96	6/28/96	
Chicago O'Hare	IL	Monitoring	\$3,900,000	\$3.00	6/28/93	9/16/94	
Chicago O'Hare	IL	Monitoring	\$1,000,000	\$3.00	8/17/06	8/17/06	
Chicago O'Hare	IL	Multi-phase	\$586,857	\$4.50	6/28/93	6/28/93	
Chicago O'Hare	IL	Planning	\$5,700,000	\$3.00	6/28/96	6/28/96	
Chicago O'Hare	IL	Soundproofing	\$35,300,000	\$4.50	6/28/93	6/28/93	
Chicago O'Hare	IL	Soundproofiing	\$113,271,731	\$450	6/28/96	6/28/96	
Chicago O'Hare	IL	Soundproofing	\$52,000,000	\$450	6/28/96	6/28/96	
Chicago O'Hare	IL	Soundproofing	\$20,000,000	\$450	3/16/98	3/16/98	
Chicago O'Hare	IL	Soundproofing	\$61,000,000	\$4.50	4/16/01	4/16/01	
Chicago O'Hare	IL	Soundproofing	\$30,000,000	\$4.50	4/16/01	4/16/01	
Chicago O'Hare	IL	Soundproofing	\$27,200,000	\$4.50	4/16/01	4/16/01	
Chicago O'Hare	IL	Soundproofing	\$4,000,000	\$4.50	12/28/05	12/28/05	
Chicago O'Hare	IL	Soundproofing	\$16,060,000	\$4.50	6/17/04	6/17/04	
Chicago O'Hare	IL	Soundproofing	\$2,440,000	\$4.50	6/17/04	6/17/04	
Chicago O'Hare	IL	Soundproofiing	\$24,327,000	\$4.50	8/17/06	8/17/06	
Chicago O'Hare	IL	Soundproofing	\$13,875,325	\$4.50	8/17/06	8/17/06	
Chicago O'Hare	IL	Soundproofing	\$130,412,160	\$4.50	12/23/09	12/23/09	
Chicago O'Hare	IL	Soundproofing	\$2,317,696	\$4.50	12/7/10	12/7/10	
Moline	IL	Land	\$335,915	\$4.50	9/29/94	9/29/94	\$700,999
Moline	IL	Land	\$365,084	\$4.50	3/12/98	3/12/98	
Peoria	IL	Land	\$382,426	\$3.00	9/8/94	9/8/94	\$816,880
Peoria	IL	Land	\$145,411	\$4.50	2/3/00	2/3/00	
Peoria	IL	Soundproofing	\$289,013	\$3.00	9/8/94	9/8/94	
Rockford	IL	Planning	\$16,088	\$3.00	7/24/92	9/2/93	\$16,088
Springfield	IL	Land	\$24,740	\$3.00	3/27/92	4/28/93	\$165,351
Springfield	IL	Land	\$12,275	\$3.00	3/27/92	4/28/93	
Springfield	IL	Land	\$24,897	\$3.00	3/27/92	4/28/93	
Springfield	IL	Land	\$14,721	\$3.00	3/27/92	4/28/93	
Springfield	IL	Land	\$551	\$3.00	3/27/92	4/28/93	
Springfield	IL	Land	\$88,167	\$3.00	11/24/93	3/11/97	
Indianapolis	IN	Land	\$42,532,859	\$3.00	6/28/93	6/28/93	\$43,106,543
Indianapolis	IN	Misc	\$498,684	\$4.50	12/20/96	12/20/96	
Indianapolis	IN	Planning	\$75,000	\$3.00	12/20/96	12/20/96	
Des Moines	IA	Multi-phase	\$945,178	\$4.50	8/16/05	8/16/05	\$945,178
Manhattan	KS	Planning	\$16,036	\$4.50	3/8/12	3/8/12	\$16,036
Covington	KY	Monitoring	\$140,000	\$3.00	3/30/94	3/30/94	\$36,658,215
Covington	KY	Monitoring	\$125,000	\$3.00	7/26/02	7/26/02	
Covington	KY	Multi-phase	\$21,317,000	\$3.00	3/30/94	3/30/94	
Covington	KY	Multi-phase	\$6,444,000	\$3.00	11/29/95	11/29/95	
Covington	KY	Multi-phase	\$3,303,000	\$3.00	3/28/01	3/28/01	
Covington	KY	Planning	\$337,000	\$3.00	11/8/01	11/8/01	
Covington	KY	Planning	\$344,215	\$3.00	3/31/98	3/31/98	
Covington	KY	Planning	\$1,501,000	\$3.00	11/8/01	11/8/01	
Covington	KY	Soundproofing	\$3,560,000	\$3.00	8/3/05	8/3/05	
Lexington	KY	Multi-phase	\$45,544	\$4.50	8/31/93	4/21/95	\$156,904
Lexington	KY	Multi-phase	\$111,360	\$4.50	8/31/93	9/27/96	
Louisville	KY	Land	\$58,800,000	\$3.00	1/29/97	1/29/97	\$59,175,000
Louisville	KY	Monitoring	\$125,000	\$3.00	3/27/01	3/27/01	

CITY	STATE	WORK CODE	AMOUNT	PFC LEVEL	IMPOSE	USE	TOTAL
Louisville	KY	Soundproofing	\$250,000	\$4.50	2/2/11	2/2/11	
Baton Rouge	LA	Multi-phase	\$1,315,124	\$3.00	9/28/92	4/23/93	\$1,315,124
New Orleans	LA	Multi-phase	\$3,750,000	\$4.50	8/26/04	8/26/04	\$3,750,000
Baltimore	MD	Monitoring	\$1,578,000	\$3.00	8/26/10	8/26/10	\$1,578,000
Boston	MA	Soundproofing	\$8,590,000	\$4.50	4/20/06	4/20/06	\$29,113,217
Boston	MA	Soundproofing	\$5,200,000	\$4.50	4/20/06	4/20/06	
Boston	MA	Soundproofing	\$15,323,217	\$4.50	8/24/93	1/27/97	
Detroit	MI	Misc	\$225,000	\$3.00	9/21/92	9/21/92	\$49,482,156
Detroit	MI	Multi-phase	\$48,871,000	\$3.00	9/21/92	9/21/92	
Detroit	MI	Planning	\$386,156	\$3.00	9/28/04	9/28/04	
Traverse City	MI	Planning	\$7,238	\$4.50	3/2/06	3/2/06	\$7,238
Duluth	MN	Planning	\$17,255	\$3.00	7/1/94	7/1/94	\$17,255
Minneapolis	MN	Land	\$21,500,000	\$3.00	5/13/94	5/13/94	\$188,740,099
Minneapolis	MN	Land	\$20,500,000	\$3.00	5/5/05	5/5/05	
Minneapolis	MN	Monitoring	\$230,273	\$3.00	5/13/94	5/13/94	
Minneapolis	MN	Multi-phase	\$103,237,546	\$3.00	5/13/94	5/13/94	
Minneapolis	MN	Soundproofing	\$2,617,279	\$3.00	5/13/94	5/13/94	
Minneapolis	MN	Soundproofing	\$450,537	\$4.50	5/13/94	5/13/94	
Minneapolis	MN	Soundproofing	\$19,768,494	\$4.50	12/11/98	12/11/98	
Minneapolis	MN	Soundproofing	\$7,799,500	\$4.50	1/24/03	1/24/03	
Rota	MP	Soundproofing	\$4,480	\$4.50	10/15/04	10/15/04	\$4,480
Saipan	MP	Soundproofing	\$80,648	\$4.50	10/15/04	10/15/04	\$80,648
Tinian	MP	Soundproofing	\$4,480	\$4.50	10/15/04	10/15/04	\$4,480
Kansas City	MO	Land	\$10,766,850	\$3.00	12/21/95	12/21/95	\$10,766,850
St. Louis	MO	Land	\$22,177,178	\$3.00	9/30/92	9/30/92	\$54,839,782
St. Louis	MO	Land	\$31,962,604	\$3.00	1/31/96	1/8/98	
St. Louis	MO	Monitoring	\$100,000	\$3.00	11/24/08	11/24/08	
St. Louis	MO	Planning	\$600,000	\$3.00	11/24/08	11/24/08	
Great Falls	MT	Soundproofing	\$431,271	\$4.50	4/12/12/	4/12/12	\$431,271
Missoula	MT	Planning	\$20,670	\$4.50	7/22/05	7/22/05	\$20,670
Las Vegas	NV	Land	\$10,654,182	\$4.50	2/24/92	3/15/95	\$51,753,814
Las Vegas	NV	Land	\$7,991,645	\$4.50	2/24/92	2/24/92	
Las Vegas	NV	Land	\$5,250,000	\$3.00	2/24/92	6/7/93	
Las Vegas	NV	Land	\$26,250,000	\$4.50	2/24/92	6/7/93	
Las Vegas	NV	Land	\$1,440,492	\$4.50	2/24/92	6/7/93	
Las Vegas	NV	Planning	\$167,495	\$3.00	2/24/92	2/24/92	
Reno	NV	Planning	\$339,994	\$3.00	5/3/01	5/3/01	\$495,738
Reno	NV	Soundproofing	\$155,744	\$3.00	10/29/93	10/29/93	
Manchester	NH	Multi-phase	\$1,400,000	\$3.00	10/13/92	3/4/96	\$4,650,000
Manchester	NH	Soundproofing	\$3,250,000	\$3.00	4/1/03	4/1/03	
Albany	NY	Planning	\$45,000	\$3.00	9/27/96	9/27/96	\$45,000
Buffalo	NY	Multi-phase	\$1,997,550	\$4.50	5/25/07	5/25/07	\$5,056,480
Buffalo	NY	Soundproofing	\$3,058,930	\$4.50	12/17/09	12/17/09	
Islip	NY	Multi-phase	\$671,891	\$3.00	9/23/94	9/23/94	\$671,891
Syracuse	NY	Soundproofing	\$1,354,899	\$4.50	8/22/05	8/22/05	\$1,354,899
Charlotte	NC	Land	\$52,270,000	\$3.00	8/23/04	8/23/04	\$59,245,205
Charlotte	NC	Monitoring	\$225,403	\$3.00	9/15/11	9/15/11	
Charlotte	NC	Multi-phase	\$1,264,209	\$3.00	8/23/04	8/23/04	
Charlotte	NC	Multi-phase	\$3,941,093	\$3.00	8/23/04	8/23/04	

CITY	STATE	WORK CODE	AMOUNT	PFC LEVEL	IMPOSE	USE	TOTAL
Charlotte	NC	Planning	\$1,250,000	\$3.00	8/23/04	8/23/04	
Charlotte	NC	Planning	\$294,500	\$3.00	9/15/11	9/15/11	
New Bern	NC	Land	\$30,293	\$4.50	5/11/06	5/11/06	\$30,293
Fargo	ND	Land	\$361,548	\$4.50	10/11/06	10/11/06	\$361,548
Akron	OH	Land	\$19,210	\$3.00	10/21/96	10/21/96	\$107,252
Akron	OH	Land	\$14,635	\$3.00	10/21/96	10/21/96	
Akron	OH	Land	\$5,293	\$3.00	10/21/96	10/21/96	
Akron	OH	Land	\$21,334	\$3.00	10/21/96	10/21/96	
Akron	OH	Land	\$12,911	\$4.50	4/4/02	4/4/02	
Akron	OH	Planning	\$4,146	\$3.00	10/21/96	10/21/96	
Akron	OH	Planning	\$27,001	\$3.00	10/21/96	10/21/96	
Akron	OH	Planning	\$2,722	\$3.00	10/18/99	10/18/99	
Cleveland	OH	Land	\$7,137,600	\$3.00	9/1/92	2/2/94	\$73,962,509
Cleveland	OH	Land	\$25,282,298	\$3.00	4/25/97	4/25/97	
Cleveland	OH	Planning	\$584,570	\$3.00	4/25/97	4/25/97	
Cleveland	OH	Soundproofing	\$22,362,400	\$3.00	9/1/92	9/1/92	
Cleveland	OH	Soundproofing	\$8,595,641	\$3.00	4/25/97	4/25/97	
Cleveland	OH	Soundproofing	\$10,000,000	\$3.00	5/28/99	5/28/99	
Columbus	OH	Land	\$119,600	\$3.00	7/14/92	3/27/96	\$3,926,308
Columbus	OH	Land	\$379,070	\$3.00	7/14/92	3/27/96	
Columbus	OH	Land	\$519,723	\$3.00	7/14/92	3/27/96	
Columbus	OH	Misc	\$61,752	\$3.00	7/19/93	3/27/96	
Columbus	OH	Misc.	\$489,894	\$4.50	1/28/11	1/28/11	
Columbus	OH	Monitoring	\$16,509	\$3.00	7/14/92	10/27/93	
Columbus	OH	Monitoring	\$33,000	\$3.00	1/28/11	1/28/11	
Columbus	OH	Planning	\$13,822	\$3.00	5/29/98	5/29/98	
Columbus	OH	Soundproofing	\$20,323	\$3.00	7/14/92	10/27/93	
Columbus	OH	Soundproofing	\$71,974	\$3.00	7/14/92	10/27/93	
Columbus	OH	Soundproofing	\$60,547	\$3.00	7/14/92	10/27/93	
Columbus	OH	Soundproofing	\$269,810	\$3.00	7/19/93	3/27/96	
Columbus	OH	Soundproofing	\$906,369	\$4.50	5/29/98	5/29/98	
Columbus	OH	Soundproofing	\$963,915	\$4.50	1/28/11	1/28/11	
Dayton	OH	Land	\$309,206	\$4.50	7/25/94	7/25/94	\$1,009,206
Dayton	OH	Planning	\$700,000	\$4.50	5/9/02	5/9/02	
Toledo	OH	Multi-phase	\$1,676,083	\$4.50	1/16/98	1/16/98	\$1,676,083
Tulsa	OK	Multi-phase	\$8,400,000	\$3.00	4/27/00	4/27/00	\$8,400,000
Portland	OR	Monitoring	\$715,750	\$3.00	12/7/05	12/7/05	\$715,750
Allentown	PA	Land	\$244,387	\$4.50	3/26/01	3/26/01	\$1,220,696
Allentown	PA	Land	\$220,475	\$4.50	3/26/01	3/26/01	
Allentown	PA	Land	\$91,944	\$4.50	6/6/03	6/6/03	
Allentown	PA	Monitoring	\$30,556	\$4.50	3/26/01	3/26/01	
Allentown	PA	Planning	\$33,334	\$4.50	3/26/01	3/26/01	
Allentown	PA	Soundproofing	\$100,000	\$4.50	6/6/03	6/6/03	
Allentown	PA	Soundproofing	\$500,000	\$4.50	6/6/03	6/6/03	
Erie	PA	Land	\$242,373	\$4.50	5/13/03	5/13/03	\$360,891
Erie	PA	Multi-phase	\$118,518	\$3.00	7/21/92	7/21/92	
Latrobe	PA	Planning	\$16,173	\$4.50	4/17/13	4/17/13	\$16,173
Pittsburgh	PA	Soundproofing	\$700,541	\$4.50	7/27/01	7/27/01	\$1,750,748
Pittsburgh	PA	Soundproofing	\$1,050,207	\$4.50	1/7/05	1/7/05	

CITY	STATE	WORK CODE	AMOUNT	PFC LEVEL	IMPOSE	USE	TOTAL
State College	PA	Planning	\$10,000	\$3.00	5/26/99	5/26/99	\$10,000
Providence	RI	Land	\$10,382,213	\$4.50	11/30/09	11/30/09	\$23,040,613
Providence	RI	Land	\$12,658,400	\$4.50	11/13/09	11/13/09	
Chattanooga	TN	Land	\$100,000	\$3.00	4/25/97	4/25/97	\$115,000
Chattanooga	TN	Land	\$15,000	\$4.50	11/22/00	11/22/00	
Knoxville	TN	Multi-phase	\$528,431	\$3.00	10/6/93	10/6/93	\$528,431
Nashville	TN	Monitoring	\$120,375	\$3.00	5/10/07	5/10/07	\$24,292,596
Nashville	TN	Multi-phase	\$24,065,949	\$3.00	2/26/04	2/26/04	
Nashville	TN	Planning	\$106,272	\$3.00	2/23/01	2/23/01	
Brownsville	TX	Land	\$81,860	\$4.50	5/7/07	5/7/07	\$290,562
Brownsville	TX	Planning	\$108,702	\$4.50	2/7/03	2/7/03	
Dallas/Ft. Worth	TX	Monitoring	\$1,266,151	\$3.00	11/7/96	11/7/96	\$1,266,151
Dallas Love	TX	Multi-phase	\$1,913,478	\$3.00	12/24/09	12/24/09	\$1,913,478
Harlingen	TX	Land	\$96,630	\$3.00	7/9/98	7/9/98	\$96,630
Laredo	TX	Planning	\$15,786	\$3.00	7/23/93	12/31/96	\$15,786
San Antonio	TX	Monitoring	\$245,153	\$3.00	2/22/05	2/22/05	\$21,547,400
San Antonio	TX	Soundproofing	\$21,302,247	\$4.50	8/29/01	12/1/04	
Salt Lake City	UT	Land	\$465,488	\$3.00	10/1/94	10/1/94	\$1,320,968
Salt Lake City	UT	Land	\$331,072	\$4.50	4/30/01	4/30/01	
Salt Lake City	UT	Land	\$524,408	\$4.50	2/28/02	2/28/02	
Lynchburg	VA	Land	\$17,762	\$3.00	4/14/95	4/14/95	\$17,762
Richmond	VA	Planning	\$15,931	\$3.00	7/3/97	7/3/97	\$15,931
Roanoke	VA	Land	\$145,000	\$4.50	11/24/04	11/24/04	\$388,308
Roanoke	VA	Multi-phase	\$240,850	\$4.50	5/16/11	5/16/11	
Roanoke	VA	Planning	\$2,458	\$4.50	11/24/04	11/24/04	
Burlington	VT	Land	\$836,481	\$4.50	1/31/12	1/31/12	\$841,944
Burlington	VT	Planning	\$5,463	\$4.50	1/31/12	1/31/12	
Bellingham	WA	Land	\$166,000	\$3.00	4/29/93	4/29/93	\$1,352,350
Bellingham	WA	Land	\$732,000	\$3.00	10/5/94	10/5/94	
Bellingham	WA	Land	\$454,350	\$3.00	12/11/96	12/11/96	
Seattle	WA	Multi-phase	\$14,939,111	\$3.00	8/13/92	8/13/92	\$124,226,950
Seattle	WA	Multi-phase	\$43,000,000	\$3.00	12/29/95	12/25/95	
Seattle	WA	Multi-phase	\$50,000,000	\$3.00	6/24/98	10/16/01	
Seattle	WA	Soundproofing	\$16,134,627	\$3.00	10/25/93	10/25/93	
Seattle	WA	Soundproofing	\$153,212	\$3.00	10/25/93	10/25/93	
Appleton	WI	Land	\$14,502	\$3.00	4/25/94	4/25/94	\$14,502
Milwaukee	WI	Land	\$3,099,197	\$3.00	2/24/95	2/24/95	\$53,817,630
Milwaukee	WI	Land	\$1,425,187	\$3.00	2/24/95	2/24/95	
Milwaukee	WI	Land	\$156,000	\$3.00	12/31/09	12/31/09	
Milwaukee	WI	Misc	\$50,000	\$3.00	3/8/01	3/8/01	
Milwaukee	WI	Misc	\$4,382,162	\$3.00	7/9/02	7/9/02	
Milwaukee	WI	Monitoring	\$40,956	\$3.00	2/24/95	2/24/95	
Milwaukee	WI	Monitoring	\$160,000	\$3.00	12/31/09	12/31/09	
Milwaukee	WI	Multi-phase	\$34,994,828	\$3.00	12/21/95	12/21/95	
Milwaukee	WI	Planning	\$230,000	\$3.00	7/9/02	7/9/02	
Milwaukee	WI	Planning	\$35,600	\$3.00	9/8/11	9/8/11	
Milwaukee	WI	Soundproofing	\$2,290,230	\$3.00	12/21/95	12/21/95	
Milwaukee	WI	Soundproofing	\$6,953,470	\$3.00	12/31/09	12/31/09	
Cheyenne	WY	Land	\$81,192	\$4.50	3/28/01	3/28/01	\$210,951

CITY	STATE	WORK CODE	AMOUNT	PFC LEVEL	IMPOSE	USE	TOTAL
Cheyenne	WY	Misc	\$129,759	\$4.50	3/28/01	3/28/01	
Jackson	WY	Monitoring	\$47,272	\$4.50	2/9/04	2/9/04	\$73,588
Jackson	WY	Monitoring	\$26,316	\$4.50	4/8/08	4/8/08	
						Total:	\$3,298,151,093

Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 42, 43

November 29, 2013

AIP Noise Grants

NOISE GRANTS TOTALING \$125.6 MILLION AWARDED TO 25 AIRPORTS IN FISCAL 2013

In fiscal 2013, some 25 airports received a total of \$125.6 million in federal Airport Improvement Program (AIP) grants to conduct noise compatibility planning studies and to implement noise mitigation projects, according to data provided by the Federal Aviation Administration.

That funding level is \$63.6 million less than the \$189.2 million in AIP noise mitigation grants awarded to 29 airports in fiscal 2012, which had marked the first increase in the amount of AIP grants being awarded for noise mitigation in seven years.

AIP funding levels for noise mitigation projects peaked in fiscal 2005 when 57 airports received a total of \$337.1 million. In fiscal 2006, the funding level for noise projects dropped to \$303.1 million. The funding level dropped again in fiscal 2007 to \$288.3 million, in fiscal 2008 to \$272.7 million, in fiscal 2009 to \$217.7 million, in fiscal 2010 to \$206.4 million, and in fiscal 2011 to \$139.1 million.

The drop in AIP noise project funding levels following fiscal 2005 reflects a congressionally-mandated broadening of the special noise set-aside in the AIP program to also fund airport emission mitigation projects and more recent federal belt-tightening.

The \$125.6 million in noise grants awarded in fiscal 2013 includes:

- \$109.6 million to 17 airports for sound insulation of homes;
- \$4.2 million to two airports for insulation of public buildings (schools);
- \$9.2 million to four airports for land acquisition;
- \$2.2 million to six airports for noise compatibility planning studies; and
- \$179,098 to one airport to install a noise monitoring system.

AIP grants represent only one of two federal funding sources available to airport proprietors to fund noise mitigation projects. The other funding source is revenue from Passenger Facility Charges. ANR reported in the previous issue that the total PFC revenue that has been earmarked for airport noise mitigation projects since 1992 is \$3.2 billion, an increase of \$62.2 million over the fiscal 2012 total.

Los Angeles International Airport received the most AIP funding for noise mitigation in fiscal 2013: \$20.5 million for residential sound insulation.

The next highest AIP noise grant awards in fiscal 2013 went to Louisville International (\$18.1 million for insulation and land); Chicago O'Hare International (\$14.7 million for insulation); Milwaukee Gen. Mitchell International (\$11.5 million for insulation); and San Diego International (\$11.3 million for insulation).

One AIP grant that stands out is \$1 million to Jackson Hole Airport to conduct a Part 150 noise compatibility planning study. That is significantly higher than other airports have received for noise studies because the Jackson Hole is located in Grand Teton National Park and the impact of noise on park land must be assessed.

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AIP Grant Data ... This special issue of ANR provides data on grants awarded to airports for noise compatibility planning and noise mitigation projects under the federal Airport Improvement Program in fiscal year 2013.

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NASA ... Computer software being developed by agency could help pilots plot most efficient flight path while en route to destinations - p. 184

Table 1: AIP Grants for Residential Sound Insulation in Fiscal 2013 (by contour)

<u>State</u>	<u>City</u>	<u>Airport</u>	<u>Sponsor</u>	<u>Amount</u>	<u>Contour</u>
AK	Anchorage	Anchorage Int'l	State of Alaska	\$7,028,849	65-69 DNL
CA	Los Angeles	Los Angeles Int'l	City of Inglewood	\$10,000,000	65-69 DNL
CA	Los Angeles	Los Angeles Int'l	City of El Segundo	\$5,500,000	65-69 DNL
CA	Los Angeles	Los Angeles Int'l	L.A. County	\$5,000,000	65-69 DNL
CA	San Diego	San Diego Int'l	Airport Authority	\$11,372,400	65-69 DNL
CT	Windsor Locks	Bradley Int'l	Airport Authority	\$960,000	65-69 DNL
IL	Chicago	O'Hare Int'l	City of Chicago	\$11,000,000	65-69 DNL
IL	Chicago	O'Hare Int'l	City of Chicago	\$3,373,622	65-69 DNL
KY	Louisville	Louisville Int'l	Airport Authority	\$5,700,000	65-69 DNL
KY	Louisville	Louisville Int'l	Airport Authority	\$9,718,943	65-69 DNL
MA	Boston	Boston Logan Int'l	Massport	\$1,947,992	65-69 DNL
MT	Great Falls	Great Falls Int'l	Airport Authority	\$416,250	65-69 DNL
NC	Greensboro	Piedmont Triad Int'l	Airport Authority	\$3,285,000	65-69 DNL
NY	Buffalo	Buffalo Niagara Int'l	Airport Authority	\$5,105,945	65-69 DNL
PA	Allentown	Lehigh Valley Int'l	Airport Authority	\$1,396,309	65-69 DNL
RI	Providence	T.F. Green State	R.I. Airport Comm.	\$800,000	65-69 DNL
TX	Houston	Bush Intercontinental	City of Houston	\$3,482,140	65-69 DNL
TX	San Antonio	San Antonio Int'l	City of San Antonio	\$6,400,000	65-69 DNL
WA	Seattle	King County Int'l	County of King	\$3,500,000	65-69 DNL
WI	Milwaukee	Gen. Mitchell Int'l	Milwaukee County	\$9,208,677	65-69 DNL
WI	Milwaukee	Gen. Mitchell Int'l	Milwaukee County	\$2,324,425	65-69 DNL

Table 1 (Cont.): AIP Grants for Residential Sound Insulation in Fiscal 2013 (by Contour)

<u>State</u>	<u>City</u>	<u>Airport</u>	<u>Sponsor</u>	<u>Amount</u>	<u>Contour</u>
MA	Westfield	Westfield-Barnes Reg.	City of Westfield	\$2,145,869	70-74 DNL

Grand Total: Residential Sound Insulation (all contours): \$109,666,421

Table 2: AIP Grants for Sound Insulation of Public Buildings (Schools) in Fiscal 2013

<u>State</u>	<u>City</u>	<u>Airport</u>	<u>Sponsor</u>	<u>Amount</u>	<u>Contour</u>
IL	Chicago	Chicago O'Hare Int'l	City of Chicago	\$375,000,	not specified
WA	Seattle	Seattle/Tacoma Int'l	Port of Seattle	\$3,900,000	not specified

Grand Total: Sound Insulation of Public Buildings: \$4,275,000

Table 3: AIP Grants for Land Acquisition in Fiscal 2013 (by contour)

<u>State</u>	<u>City</u>	<u>Airport</u>	<u>Sponsor</u>	<u>Amount</u>	<u>Contour</u>
KY	Louisville	Louisville Regional	Airport Authority	\$2,700,000	65-69 DNL
VT	Burlington	Burlington Int'l	City of Burlington	\$1,179,000	65-69 DNL
MA	Westfield	Westfield-Barnes Reg.	City of Westfield	\$350,590	70-74 DNL
RI	Providence	T.F. Green State	R.I. Airport Comm.	\$5,000,000	70-74 DNL

Grand Total: Land Acquisition: \$9,229,590

Table 4: AIP Grants for Noise Compatibility Planning Studies in Fiscal 2013

<u>State</u>	<u>City</u>	<u>Airport</u>	<u>Sponsor</u>	<u>Amount</u>
CA	Ontario	Ontario Int'l	City of Ontario	\$400,000
IN	Indianapolis	Indianapolis Int'l	Airport Authority	\$112,500
MA	Springfield	Westover ARB/Metro	Metro. Dev. Corp.	\$153,614
MT	Great Falls	Great Falls Int'l	Airport Authority	\$321,750
PA	Allentown	Lehigh Valley Int'l	Airport Authority	\$240,939
WY	Jackson	Jackson Hole	Airport Board	\$1,000,000

Grand Total: Noise Compatibility Planning Studies: \$2,228,803

Table 5: AIP Grants for Installation of Noise Monitoring Systems in Fiscal 2013

<u>State</u>	<u>City</u>	<u>Airport</u>	<u>Sponsor</u>	<u>Amount</u>
MO	St. Louis	Lambert-St. Louis Int'l	City of St. Louis	\$179,098,

Grand Total: Installation of Noise Monitoring Systems: \$179,098

Table 6: AIP Grants for Unspecified Noise Mitigation in Fiscal 2013

<u>State</u>	<u>City</u>	<u>Airport</u>	<u>Sponsor</u>	<u>Amount</u>
FL	Ft. Myers	SW Florida Int'l	Port Authority	\$24,000

Grand Total: Installation of Noise Monitoring Systems: \$24,000

Table 7: AIP Grants by Airport for All Noise Mitigation Projects in Fiscal 2013

<u>State</u>	<u>Airport</u>	<u>Insulation</u>	<u>Studies</u>	<u>Land/Other</u>	<u>Monitoring</u>	<u>Total</u>
AK	Anchorage	\$7,028,849				\$7,028,849
CA	LAX	\$20,500,000				\$20,500,000
CA	San Diego	\$11,372,400				\$11,372,400
CA	Ontario		\$400,000			\$400,000
CT	Bradley	\$960,000				\$960,000
FL	SW Florida			\$24,000 (undefined mitigation)		\$24,000
IL	O'Hare	\$14,748,622				\$14,748,622
IN	Indianapolis		\$112,500			\$112,500
KY	Louisville	\$15,418,943		\$2,700,000		\$18,118,943
MA	Boston	\$1,947,992				\$1,947,992
MA	Westover ARB		\$153,614			\$153,614
MA	Barnes	\$2,145,869		\$350,590		\$2,496,459
MO	St. Louis				\$179,098	\$179,098
MT	Great Falls	\$416,250	\$321,750			\$738,000
NC	Greensboro	\$3,285,000				\$3,285,000
NY	Buffalo	\$5,105,945				\$5,105,945
PA	Allentown	\$1,396,309	\$240,939			\$1,637,248
RI	T.F. Green	\$800,000		\$5,000,000		\$5,800,000
TX	Houston	\$3,482,140				\$3,482,140
TX	San Antonio	\$6,400,000				\$6,400,000
VT	Burlington			\$1,179,000		\$1,179,000

Table 7 (Cont.): AIP Grants by Airport for All Noise Mitigation Projects in Fiscal 2013

<u>State</u>	<u>Airport</u>	<u>Insulation</u>	<u>Studies</u>	<u>Land/Easements</u>	<u>Monitoring</u>	<u>Total</u>
WA	King County	\$3,500,000				\$3,500,000
WA	Sea-Tac	\$3,900,000				\$3,900,000
MI	Gen. Mitchell	\$11,533,102				\$11,533,102
WY	Jackson Hole		\$1,000,000			\$1,000,000

Grand Total: All Noise Mitigation Projects: \$125,602,912

UK**UK BUSINESS GROUP CALLS FOR AIRCRAFT NOISE OMBUDSMAN**

A leading UK business group is calling for the appointment of a noise pollution tsar to protect people living under the flight paths of London airports.

London First, which represents many of the UK's leading businesses, said Nov. 7 that an independent noise ombudsman, with a range of powers including the ability to fine an airline that persistently broke noise pollution limits, is needed to address a "basic lack of trust and transparency" between those pressing the economic case for airport expansion and local communities.

A similar scheme running in Paris since 2000 has issued more than 10m euros (\$13.5 million) in fines to airlines and has the power to ground the aircraft of airlines that do not pay penalties, London First said.

The group's plan, set out in London First's "More Flights, Less Noise" report, comes as UK Airports Commission Chair Sir Howard Davies prepares to announce a shortlist of potential sites for a new runway in the South East area of England, near London.

In October, Sir Howard said that he believed there was no option but to build extra runways in the South East to cope with rising demand.

The London First report shows how noise levels under flight paths are expected to fall as airlines invest in a new generation of quieter planes, but local communities and the public at large are unsure whether they will share the benefits.

Baroness Jo Valentine, Chief Executive of London First, said it was vital for the UK that airport capacity was increased. But she added that unless a basic lack of trust and transparency around noise levels was addressed head-on, it might never happen.

"Limiting and cutting noise are challenges for any airport but the fact is that planes are getting quieter, major airlines like British Airways and Virgin are investing heavily in new fleets and airports are actively improving landing and take-off methods to reduce the noise impact," she said.

"However, we are miles behind foreign rivals when it comes to communicating how we monitor noise levels and deal with any problems.

"An independent ombudsman would make sure that all airlines fulfill their obligations. It would give local communities the assurance that someone is looking out for them and policy makers a source of objective information on which to make their decisions."

Under the plans, the independent Noise Ombudsman would monitor noise pollution, which would be set at appropriate levels for each individual airport by the government. It would have a range of powers, from light touch verification of plans already in place, to full scale intervention.

The ombudsman would:

- Monitor all aircraft noise emissions;
- Levy penalties where breaches of regulations occur; and
- Report on noise in a manner that is transparent and intelligible to local communities.

However, Baroness Valentine warned that fines should be a last resort.

"Ideally, violations should be dealt with through investigation of their root causes, and working with airports and airlines to prevent their reoccurrence, rather than automatically applying a penalty," she said.

"A risk of the 'parking ticket' approach is that penalties come to be seen simply as a cost of doing business when their objective should be to deter."

The report also highlights a number of operational changes that could be made to reduce noise. These include 'noise preferential routes' to help aircraft avoid populated areas.

London First represents the city's leading employers in key sectors such as financial and business services, property, transport, ICT, creative industries, hospitality and retail.

Meanwhile, on Nov. 19, leaders from more than 100 of Britain's top firms warned politicians that failure to commit to airport expansion risks condemning the UK to being a second-rate economy until at least 2040.

The warning came as business leaders and politicians met for the launch of "Let Britain Fly," a campaign aimed at pressuring Members of Parliament to avert the UK's looming air capacity crunch.

It calls on all major parties to include a commitment to tackle the problem in their platforms for the 2015 General Election. This would mean a commitment to act following the findings of the Airports Commission, which reports that year.

London First said that leading UK firms that have thrown their weight behind "Let Britain Fly" making it the biggest and most influential business-led campaign ever created to address the issue of airport expansion.

NASA**COCKPIT SOFTWARE COULD HELP PILOTS PLOT BEST PATH**

[Nov. 8 News Feature by Kathy Barnstorff, NASA Langley Research Center]

NASA-developed computer software could help aircraft operators save time and fuel by allowing technology in the cockpit to help determine the most efficient flight paths while planes are in the air – in traffic – en route to their destinations.

A concept called Traffic Aware Strategic Aircrew Requests, or TASAR, is being developed at NASA's Langley Research Center in Hampton, Va., as part of the NASA Air-space Systems Program. TASAR has been tested in labs and simulators and is now being assessed in flight. The software

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is loaded onto an "Electronic Flight Bag," a tablet computer that many airlines and other pilots already use.

"We want to provide better information to pilots about potential flight path savings, but in a way that is more affordable and approvable, and that supports how pilots and air traffic controllers work together today," said NASA Langley researcher David Wing.

Wing and his team, including software developers from Engility Corporation in Billerica, Mass., will fly the software application on an Electronic Flight Bag integrated into a Piaggio P.180 Avanti aircraft, a high-performance aviation technology testbed owned and operated by Advanced Aerospace Solutions, LLC (AdvAero).

The TASAR software application accesses onboard aircraft systems for real-time flight data, including current position and the active route, to see if more efficient routes are available.

It doesn't stop there. The software then connects with the plane's ADS-B, or Automatic Dependent Surveillance-Broadcast, receiver and scans the broadcast signals of nearby traffic to make sure there are no potential conflicts in any proposed flight path changes – making it easier for air traffic controllers to okay a pilot's route change request.

The TASAR system can go even further by using airborne Internet access for additional airspace information, such as real-time weather conditions and wind forecasts, to help make the flight even more efficient.

Simulations Conducted

The NASA team has already checked out the concept during simulations at the University of Iowa Operator Performance Laboratory and gotten feedback from a dozen airline pilots who tested the technology. In addition, aerospace system manufacturer Rockwell Collins of Cedar Rapids, Iowa, has analyzed TASAR to make sure it is safe and can be readily certified by the Federal Aviation Administration.

One thing its developers say the new technology won't need is changes in the roles and responsibilities of pilots or air traffic controllers. "The system is meant to be usable today, helping pilots make better, more efficient route requests in accordance with existing air traffic control and pilot procedures," said Wing. "TASAR takes advantage of state-of-the-art computing, flight information specific to the aircraft and the emerging ADS-B infrastructure to help pilots make more informed requests that are more acceptable to air traffic controllers."

Engility analysts have already studied how the software could benefit aircraft operators. They studied more than 500 standard airplane routes to identify how requests for different flight path changes could improve time and fuel efficiency. Then the researchers analyzed those same paths using TASAR capability. They found, on average, aircraft using the NASA-developed technology saved about one to four minutes of flight time and between 50 and 550 pounds of fuel per operation, depending on a number of different factors including the total length of the flight. As a result, several airlines have expressed interest in the TASAR technology and are furnishing pilots for the TASAR flight tests.

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 25, Number 44

December 6, 2013

Sound Insulation

ACRP PROJECT WILL EVALUATE METHODS FOR DETERMINING INTERIOR NOISE LEVELS

The Transportation Research Board issued a Request for Proposals on Nov. 26 seeking a contractor for a one-year, \$300,000 project to help airports identify the most appropriate methodology to use in determining whether homes in their sound insulation programs meet the 45 dB DNL interior noise level requirement imposed in FAA's Program Guidance Letter 12-09, which determines eligibility for federal Airport Improvement Program funding.

In the past, various acoustical methods for measuring noise level reduction have been used to ensure that acoustical treatments met the FAA's noise reduction requirements, TRB explained in its RFP for Airport Cooperative Research Program (ACRP) Project 02-51.

"The recent issuance of the FAA's Program Guidance Letter 12-09, "Eligibility and Justification Requirements for Noise Insulation Projects," has required a re-examination of the methods used to determine whether existing interior noise levels are greater or less than 45 dB. Although the criteria for the design of dwelling mod-

(Continued on p. 188)

Ft. Lauderdale-Hollywood Int'l

FAA APPROVES SETTLEMENT AGREEMENT WITH SIGNIFICANT NOISE COMPENSATION

The Federal Aviation Administration has approved a revised settlement agreement between the City of Dania Beach, FL, and Broward County, FL, that ends two decades of litigation over the extension of the south runway at Ft. Lauderdale-Hollywood International Airport and provides significant compensation to homeowners for airport noise impact.

Dania Beach and Broward County Commissioners had already approved the revised settlement agreement but FAA's approval was needed to make it final.

Key to the settlement agreement is a novel voluntary Conveyance and Release (CAR) Program under which the County will pay each of the 857 homeowners – whose homes will move from the 60 DNL contour to the 65 DNL contour as a result of the project – 21.9 percent of the fair market value (FMV) of their home if it is not sound insulated and 14.4 percent of the FMV of their home if it is sound insulated in exchange for their signing the CAR agreement, which is similar to an avigation easement but more encompassing (25 ANR 142).

That means that an owner of a home appraised at \$325,000, for instance, would receive \$46,800 or \$71,175 for signing the CAR agreement, depending on whether

(Continued on p. 189)

In This Issue...

ACRP ... TRB seeks contractors for three new 2014 noise projects that will:

- (1) Evaluate methods for determining interior noise level requirements in airport sound insulation programs;
- (2) Develop guide for airports to use in assessing alternative aircraft taxi systems; and
- (3) Define aircraft noise conditions that affect student achievement - p. 187, 188

Ft. Lauderdale Int'l ... FAA approves revised settlement agreement between Dania Beach and Broward County that ends two decades of litigation over runway extension and will provide ground-breaking levels of noise compensation to homeowners - p. 187

Policy ... FAA seeks comment on proposed clarification of its policy on the use of airport revenue from taxes on aviation fuel. It says that revenue from state taxes on aviation fuel may be used for noise mitigation on or off the airport - p. 190

ACRP, from p. 187

ifications are fairly well-defined, there is no industry standard to guide measurement procedures to confirm a dwelling's eligibility, which can result in inconsistencies when implementing airport sound insulation programs."

TRB said that research is needed "to gain a better understanding of the factors that lead to differences among measurement methods and to understand and minimize inaccuracies in estimating interior noise levels."

The goals of the project are threefold:

- To identify and evaluate the accuracy of noise level reduction (NLR) measurement methods for non-compatible structures;
- To propose procedures to minimize the measurement inaccuracies of each method; and
- To develop a matrix to help program sponsors identify the most appropriate methodology for determining interior noise levels for their airport sound insulation program.

TRB said that those responding to the RFP should include in their proposal how they will consider related documents, including: (1) ACRP Report 89: Guidelines for Airport Sound Insulation Programs, (2) the soon-to-be-published FAA report, "Study of Noise Level Reduction (NLR) Variation," and (3) the Draft Unified Acoustical Test Plan that the Airports Council International - North America will be submitting to FAA on behalf of industry stakeholders.

Concerned about inadequacies in the methodology for conducting interior noise level testing in FAA Program Guidance Letter 12-09, experts in airport sound insulation programs moved last spring to develop what they believe is the appropriate acoustical testing plan for the PGL (25 ANR 38). The product of the working group is the Draft Unified Acoustical Test Plan that ACI-NA submitted to FAA on Oct. 29 and TRB wants considered in the ACRP project.

The closing date for responding to the RFP is Jan. 30, 2014. The project, "Evaluating Methods for Determining Interior Noise Levels Used in Airport Sound Insulation Programs," is expected to begin on April 17, 2014.

The RFP is available at <http://apps.trb.org/cmsfeed/TRB-NetProjectDisplay.asp?ProjectID=3697>

ACRP**PROJECT WILL DEVELOP GUIDE ON ALT. AIRCRAFT TAXI SYSTEMS**

On Nov. 26, the Transportation Research Board issued a Request for Proposals (RFP) seeking a contractor for a \$300,000, 18-month Airport Cooperative Research Project to develop a resource guide for airports on how to derive benefits from new alternative aircraft taxi systems.

"As demand for air travel continues to grow, airports are facing increased pressure to reduce their contribution to local air emissions and noise," TRB explained in its RFP.

"Moreover, as the price of fuel increases, aircraft operators are driven to consider operational alternatives that reduce fuel consumption cost. By removing the need for aircraft main-engines during the majority of the taxi phase of operation in aircraft movement areas, there may be an overall net benefit for both the airport and aircraft operator.

"Recently, non-main-engine aircraft-taxi (alternative aircraft-taxi) systems have attracted interest by industry and government research organizations including, among other alternative systems, an electric motor permanently fixed to the aircraft, or an electric tug.

"While many of these alternatives may provide energy and environmental benefits, their use may introduce potential challenges to aircraft operators, air traffic control, and new demands upon airport infrastructure.

"Research is needed to develop a comprehensive list of existing and near-term alternative aircraft-taxi systems and evaluate the potential net cost, energy, and environmental benefits of these systems through the consideration of fuel burn, emissions, and noise effects, and to consider the potential future challenges of implementing this technology for aircraft and airport infrastructure."

Goals of Project

The objective of this research is to develop a resource guide for airport practitioners in three sections that includes:

- Section 1 – An introduction to existing and near-term alternative aircraft-taxi systems;
- Section 2 – A compendium of defensible benefits, impacts, and considerations related to each system; and
- Section 3 – A summary and vision to maximize future potential of these systems given anticipated advances in technology, equipment, and infrastructure.

TRB said that the resource guide should be written in terms and context that are "relevant, familiar, and understandable to airport operators."

The RFP closing date is Jan. 28, 2014. Project ACRP 02-50, "Deriving Benefits from Alternative Aircraft-Taxi Systems," is expected to begin on May, 31, 2014.

The RFP is available at <http://apps.trb.org/cmsfeed/TRB-NetProjectDisplay.asp?ProjectID=3696>

ACRP**NOISE CONDITIONS AFFECTING STUDENTS WILL BE ASSESSED**

On Dec. 4, the Transportation Research Board issued a Request for Proposals (RFP) seeking a contractor for a \$600,000, 22-month study on aircraft noise conditions that affect student learning.

Jan. 30, 2014, is the closing date for responding to the RFP on ACRP Project 02-47: "Assessing Aircraft Noise Conditions Affecting Student Achievement – Case Study."

“Community concern over the effects of aircraft noise on children’s learning may delay or impede airport development and related capacity improvements,” TRB said in explaining the need for the study.

“This concern continues to evolve as a result of research indicating that chronic exposure to aircraft noise is associated with reading deficits in children. The Federal Aviation Administration, through a long-standing program, awards grants to insulate schools following guidance based on a two-tier set of criteria: the Day-Night Average Sound Level (DNL) being 65 dB or greater with a 45 dB or greater interior noise level. To date, however, there are no data to determine whether this criterion is appropriate for identifying aircraft noise impacts on schools, and there is limited research on what other characteristics should also be included in the evaluation.

“In 2010 ACRP initiated ACRP Project 02-26, “Assessing Aircraft Noise Conditions Affecting Student Learning,” to identify whether the two-tier set of criteria is reasonable for identifying noise impacts on schools. This research, which incorporated a nationwide macro-analysis of the relationship between noise exposure and student performance, taking into account the effect of school sound insulation and other factors, relied on student test scores as a measure of performance. A preliminary version of the draft final report of this study is now available for review.

“It is important to note that ACRP Project 02-26 did not examine the effects of aircraft noise on interactions within the classroom. To take the next step and measure responses at the classroom level requires observations to determine at what level aircraft noise events cause interruptions within the classroom environment and how student and teacher communication and behavior are affected. These classroom observations would enable a refined approach to developing a more appropriate metric for determining the impact of aircraft noise on student achievement—an approach that would also provide guidance to planners and decision makers when formulating and implementing potential noise reduction programs.

Study Goals

TRB said the goal of the new research is:

- To develop and implement a rigorous case study methodology to identify and measure those factors at the individual classroom, student, and teacher level that influence the impact of aircraft noise on student achievement, especially as it relates to reading comprehension;
- To identify appropriate metrics that define the level and characteristics of aircraft noise that impact student achievement; and
- To develop practical guidance for use by decision makers on how to reduce the impact of aircraft noise on student achievement.

The RFP is available at <http://apps.trb.org/cmsfeed/TRBNetProjectDisplay.asp?ProjectID=3693>

Ft. Lauderdale, from p. 187

the house was already sound insulated. Those amounts are significantly greater than compensation homeowners around other airports typically receive for signing aviation easements, especially when their homes do not move to a higher noise contour as a result of an airport project.

The FAA’s Record of Decision on the runway extension project requires the County to purchase aviation easements for noise mitigation.

The CAR Program is eligible for funding under the FAA’s Airport Improvement Program (AIP) Program and/or its Passenger Facility Charge (PFC) Program, Bart Vernace, manager of FAA’s Orlando Airports District Office, told Kent George, director of Aviation for the Broward County Aviation Department, in a Nov. 20 letter.

But Vernace stressed that the proposed CAR Program can only be considered for AIP or PFC funding if it meets the requirements of the Record of Decision on the runway extension project and follows all other requirements for AIP and PFC funding. Vernace told the County that his letter was not a commitment for federal funding of the CAR Program.

In 2012, FAA told Broward County that the CAR Program was not eligible for AIP funding because the County’s study supporting the program could not justify how it arrived at the 20 percent of FMV for compensating homeowners for noise impact that was proposed in the original settlement agreement. That led to Dania Beach voiding the original settlement agreement.

Since then, the FAA has worked with the County to prepare a study that does justify the percentages of FMV included in the revised settlement agreement. “The FAA has provided guidance and comments throughout this process and the final version of the study is acceptable to the agency,” Vernace wrote.

‘Happy for Residents’

County Aviation Director Kent George said he was pleased with the FAA’s ruling. “I am relieved that we have gone down this long road and I’m happy for the residents that are affected by the new runway and the benefits they will derive from the program.”

The County now has to prepare a procedures manual as well as a cost estimate for the CAR Program for FAA’s approval, Greg Meyer, a spokesman for the County, told ANR. “Then we need eligibility of the CAR program [for AIP/PFC] funding approved.”

FAA’s approval of the settlement agreement also pleased Neal McAliley of the Miami law firm White and Case, who has worked for over a decade on the litigation challenging the south runway extension.

He told Dania Beach city officials in an e-mail that they had achieved “outsized results” for city residents.

“Throughout this fight, the City has taken on much larger, more powerful and better funded agencies, who were determined to see the City lose. Most local governments would not

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have had the staying power to pursue this fight for so long, yet this City never wavered in its commitment to its residents. The City was unable to stop the South Runway expansion – nobody has stopped a major runway expansion in the United States in decades. However, the City delayed the project by years; reduced the size of the expanded runway; and now has secured a precedent-setting noise mitigation program for its most-affected residents. This outcome only has come about as a result of the City’s persistence and determination to fight for its residents,” McAliley wrote.

He told ANR that he already has moved to drop pending litigation seeking to block the runway extension that had been filed in state and federal courts.

FAA Policy

FAA SEEKING COMMENTS FROM PUBLIC ON CLARIFICATION OF REVENUE POLICY

On Nov. 21, the FAA issued a Federal Register notice seeking public comment on a proposed clarification of its policy on the use of airport revenue from taxes on aviation fuel.

FAA proposed several amendments to its current policy, included the following, which addresses aircraft noise mitigation:

“Section II, Definitions, paragraph B.2, is revised to read:

State or local taxes on aviation fuel (except taxes in effect on Dec. 30, 1987) are considered to be airport revenue subject to the revenue-use requirement. However, revenues from state taxes on aviation fuel may be used to support aviation programs, and as airport revenue can be used for noise mitigation purposes, on or off the airport.”

The clarification does not appear to change current policy.

The public has until Jan. 21, 2014, to submit comments on the FAA’s proposed policy clarification. Comments can be submitted via the federal eRulemaking Portal (<http://www.regulations.gov>). Search for Docket Number: FAA 2013 0988. The proposed policy revision also is available there.

For further information, contact Randall S. Fiertz, director of FAA’s Office of Airport Compliance and Management Analysis; tel: (202) 267-3085; fax (202) 267-5257.

AIRPORT NOISE REPORT

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Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 26, Number 1

January 10, 2014

ACRP

PROJECTS ON HELICOPTER NOISE, GROUND MODELING, ARRIV/DEP PROFILES LAUNCHED

In December, the Transportation Research Board issued Requests for Proposals (RFPs) seeking contractors for the following three aircraft noise-related projects:

ACRP 02-48: Assessing Community Annoyance to Helicopter Noise (\$700,000; 24 months)

“Helicopter noise is currently evaluated with the same land use compatibility guidelines used for fixed-wing aircraft noise, with sound exposure levels at or above Day-Night Average Sound Level (DNL) 65 dB, judged as a significant impact. However, DNL values produced by helicopters are usually well below this level, even for relatively high levels of helicopter activity,” a summary of the project notes.

“There is currently a general lack of understanding regarding the relationship between helicopter noise and community response. In 2004, an FAA Report to Congress, “Nonmilitary Helicopter Urban Noise Study,” recommended that “addi-

(Continued on p. 2)

Legislation

BILL MANDATES ALL STAGE 4 FLEET BY 2035; WOULD ONLY AFFECT SOME CARGO AIRLINES

On Dec. 4, 2013, Rep. Joseph Crowley (D-NY) introduced the Silent Skies Act of 2013 (H.R. 3650), which would require the gradual phase out of Stage 3 commercial jets over 75,000 lb. by the end of 2035.

While the measure would affect some cargo carriers operating older and hushkitted Stage 3 aircraft, essentially all of the heavy Stage 3 jets in U.S. passenger fleets already meet Stage 4 standards (cumulative 10 EPNdB below Stage 3) even though they may only be certificated as Stage 3 aircraft.

So, if passed, the legislation would likely turn into a paperwork exercise where Stage 3 aircraft are simply recertificated as Stage 4. However, that could prove costly. And with the airlines opposed to the legislation, it does not appear to have much chance of passage.

Nancy Young, vice president, Environmental Affairs for Airlines for America, told ANR, “The U.S. airlines have a tremendous record of noise reduction. If fact, FAA data confirm that between 1975 and year-end 2012, we reduced significant noise exposures by 95 percent, while tripling enplanements. In light of this, there is no need for a legislative measure to force the phase-out of Stage 3 aircraft, which

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Legislation ... Bill mandates gradual phaseout of Stage 3 commercial jets over 75,000 pounds by end of 2035 but would affect very few aircraft; most already meet Stage 4 standards and could be recertificated - p. 1

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tional development of models for characterizing the human response to helicopter noise should be pursued.” To date, no such work has been done.

“Research is needed to better understand the factors affecting community annoyance to helicopter noise.”

The goals of the project are to:

- Determine the significance of acoustical and non-acoustical factors that influence community annoyance to helicopter noise;
- Describe how these factors compare to those contributing to fixed-wing aircraft community annoyance, and
- Develop and validate a research method to relate helicopter noise exposure to surveyed community annoyance.

Feb. 28 is the deadline for responding to the RFP.

ACRP 02-52: Improving AEDT Noise Modeling of Hard, Soft, and Mixed Ground Surfaces (\$250,000; 18 months)

“Airports will soon be required to use FAA’s Aviation Environmental Design Tool (AEDT) when conducting airport noise studies (e.g., FAR Part 150 studies, Environmental Impact Statements, Environmental Assessments). AEDT uses a method that assumes noise propagation only over “soft” ground surfaces in the calculation of lateral attenuation, based on SAE-AIR-5662, Method for Predicting Lateral Attenuation of Airplane Noise (2012),” according to the project summary.

“In reality, areas around airports are often covered with a variety of ground types (e.g., “hard” or reflective ground, such as large areas of pavement or water), which can affect noise levels around an airport. By ignoring effects from multiple ground types, AEDT may under-predict the noise from aircraft operations.

“Research is needed to develop a method to account for impedance variability of ground surfaces to improve the noise prediction accuracy of AEDT.”

The goal of the project is to develop a method to account for impedance variability of ground surfaces in a manner suitable for model implementation to improve the noise prediction accuracy of AEDT.

Feb. 19 is the deadline for responding to the RFP.

ACRP 02-55: Enhanced Modeling of Aircraft Arrival and Departure Profiles (\$350,000; 18 months)

“The new Aviation Environmental Design Tool (AEDT) offers enhanced aircraft arrival and departure profile modeling capabilities that allow users to more accurately define operational procedures and better estimate environmental impacts,” the project summary explains.

“The AEDT contains standard departure and approach profiles for every aircraft type in its database. These standard profiles and their associated aircraft performance data have been developed by the FAA in collaboration with the aircraft manufacturers to ensure valid three-dimensional flight trajectories that lie within the aircraft performance envelope. However, through the implementation of NextGen capabilities, aircraft are using arrival and departure profiles that are not found in AEDT. As a result, practitioners often develop customized profiles that require FAA approval to incorporate them into their modeling effort, a complex and lengthy process.

“Research is needed to develop additional model approach and departure profiles that can be added as standard profiles to AEDT and to help users develop customized aircraft arrival and departure profiles for use in AEDT.”

The goals of the research are to develop:

- Standard model aircraft approach and departure profiles that are not currently in AEDT;
- Methods to model customized aircraft approach and departure profiles using AEDT; and
- Technical guidance for selecting appropriate aircraft approach and departure AEDT profiles, including customized profiles, for specific user situations.

Feb. 29 is the deadline for responding to the RFP.

The RFPs for all the projects above are available at <http://www.trb.org/ACRP/RequestsforProposals.aspx>

ACRP

RFP’S OUT ON FOUR REMAINING NEXTGEN INITIATIVE PROJECTS

On Dec. 16, the Transportation Research Board issued Requests for Proposals (RFPs) seeking contractors for the remaining four projects that comprise its novel NextGen Initiative.

The initiative is comprised of five distinct but cross-pollinated projects that will be conducted simultaneously with the goal of better explaining how NextGen technologies will modernize the national airspace and the effects it will have on efficiency, environment, safety, reliability, and airport planning and design.

On Oct. 29, TRB issued an RFP seeking a contractor for the first project: ACRP Project 01-27, a \$600,000, 20-month project effort to develop a NextGen Primer that will consist of:

- A resource guide for airport practitioners;
- A primer for airport decision makers; and
- A public information toolkit that can be used by airport operators “to communicate high-level, universal facts about NextGen and airports to local pilots, community members, local leaders, and the flying public.”

The RFP closing date was Jan. 7.

The new RFPs cover the four remaining projects:

ACRP Project 01-28: Guidance for Engaging the Airport Stakeholders (\$300,000; 18 months)

“Stakeholders are often brought into the planning process for airport issues related to NextGen near the end of the process, when decisions have already tentatively been made. This engenders a narrow focus on the environmental issues of noise and emissions and misses the opportunity to engage and inform the overall community of the safety, capacity, and economic impact that such procedures offer,” TRB said.

“What is increasingly needed is a more inclusive approach that looks at the benefits of NextGen to the entire stakeholder community and the goals it has for the airport. Therefore, efforts to incorporate NextGen planning at airports require new methods to engage the entire stakeholder community successfully.”

The objective of this research, TRB said, “is to develop guidance for airports to engage with the FAA and other airport stakeholders on NextGen development and implementation lifecycle to include, but not be limited to, planning, environmental, review, design, and deployment.”

Feb. 12 is the closing date for this RFP.

ACRP Project 03-33: NextGen – Airport Planning and Development (\$425,000; 18 months)

“While airports could benefit from incorporating NextGen capabilities, many don’t have the necessary information and guidance to incorporate them into their planning process. In addition, NextGen capabilities are complex and continue to mature, and there is uncertainty regarding user priorities. Research is needed to provide guidance to help airport industry practitioners incorporate NextGen capabilities into their planning processes,” TRB said.

The objective of this research is to develop a guidebook to help airport industry practitioners understand and incorporate NextGen capabilities into planning for all categories of airports.

Feb. 12 is the closing date for this RFP.

ACRP Project 03-34: Understanding the Airport’s Role in Performance-Based Navigation (PBN) (\$500,000; 20 months)

“Because of the technical nature of NextGen and the fact that much of the material previously produced has not been oriented toward airport operators, much about NextGen and how it will affect airport operations and planning may not be clear to the broader airport audience,” TRB explained.

“Performance-Based Navigation (PBN) is a critical near-term component of the NextGen program. Design and implementation of PBN will have significance for airports of all

sizes. Development of PBN procedures is currently underway, or will be underway shortly, in a number of communities. Involvement by airport operators is essential for successful implementation; and potential opportunities exist for realizing operational and environmental benefits as well as improvements to safety, reliability, and efficiencies of air services to the community.

“To maximize their productivity, airport operators need to have an understanding of the FAA design and implementation procedures, and have the means to identify and monitor metrics of expected benefits and impacts of these procedures so they can report back to their communities. To help implement that program, the aviation community needs comprehensive and understandable information concerning PBN, presented in a usable and accessible format – describing implementation requirements, related benefits, and potential costs.”

The objective of this research is to prepare a user-friendly “Airport PBN Resource Guide” that presents essential, relevant material for use by airport operators, planners, managers, and others.

Feb. 12 is the closing date for this RFP.

ACRP Project 09-12: Leveraging NextGen Spatial Data to Benefit Airports (\$200,000; 16 months)

“In support of NextGen technologies, the FAA requires that airports participate in a number of initiatives that require airports to collect, organize, maintain, and provide spatial data. Airports can leverage this data along with other sources of data to provide enterprise-wide benefits,” TRB explained.

However, it said, “there is a lack of understanding by airport executive staff of the benefits of collecting and organizing spatial data that can be utilized by a variety of different airport work groups (e.g., maintenance, engineering).”

The objective of this research is to develop a guidebook for airport operators which identifies the benefits that can be derived from spatial data that are to be collected in support of the FAA’s NextGen effort, and provides guidance on how airports can maximize use of these data.

Feb. 12 is the deadline for this RFP.

The RFPs for all the projects above are available at <http://www.trb.org/ACRP/RequestsforProposals.aspx>

Airlines

DELTA RETIRES LAST SCHEDULED DC-9 FLIGHT AS IT MODERNIZES

Delta Air Lines retired the last of its scheduled flights with Douglas DC-9 aircraft on Jan. 6 when Flight 2014 departed Minneapolis/St. Paul for Atlanta at 4:20 p.m.

It was the last scheduled commercial flight of the DC-9

by a major U.S. airline.

Delta still has two DC-9 aircraft that it plans to use over the next few weeks to fill in as needed on scheduled operations but those aircraft also will soon be retired.

“The DC-9 has been a workhorse in our domestic fleet while providing a reliable customer experience,” said Nat Pieper, Delta’s vice president – Fleet Strategy. “The aircraft’s retirement paves the way for newer, more efficient aircraft.”

Since 2008, Delta has removed or retired more than 350 aircraft from its fleet including 50-seat CRJ-200s; Saab 340s and DC-9s; while adding economically efficient, proven-technology aircraft such as the Boeing 777-200LR; two-class, 65 and 76-seat regional jets and variants of the 737 and 717, largely on a capacity-neutral basis.

The DC-9 retirement comes just months after Delta began taking delivery of its orders of 88 Boeing 717-200 aircraft and 100 Boeing 737-900ER aircraft, which began entering service in October and November, respectively. Each aircraft features a First Class cabin and slim-line seats throughout Delta’s Economy Comfort and Economy cabin along with Wi-Fi connectivity and in-seat power ports. Additionally, the Boeing 737-900ER offers on-demand entertainment throughout the cabin.

Delta also recently announced its order for 40 Airbus aircraft including 30 narrowbody A321s, which will begin to be delivered in 2016.

Delta was the launch customer for the original 65-seat version of the DC-9 in 1965 as the airline replaced propeller aircraft on high-frequency, short-haul domestic routes. The twin-engine plane was removed from the Delta fleet in 1993, but larger variants reentered service following the merger; those aircraft joined Northwest after it acquired Republic Airlines in 1986. Delta has flown a total of 305 DC-9s since 1965.

To acknowledge the DC-9’s retirement, the last flight has been tagged DL2014 noting the final year of service, while the preceding flight operating from Detroit to Minneapolis/St. Paul will be flight DL1965, the aircraft’s initial year of service.

Legislation, from p. 1

would impose significant costs on the airlines.”

The Silent Skies Act is co-sponsored by Rep. Grace Meng (D-NY), Gregory Meeks (D-NY), Steve Israel (D-NY), Albio Sires (D-NJ), Janice Schakowsky (D-IL), Mike Quigley (D-IL), Tammy Duckworth (D-IL), and James Himes (D-CT).

These lawmakers represent communities in the New York City and Chicago metropolitan areas, many of which have been newly hit by aircraft noise from airspace and flight path changes implemented under NextGen.

It is clear from their statements below that the sponsors of the legislation are not aware that Stage 3 passenger aircraft currently in operation already meet Stage 4 standards.

Crowley’s Statement

“Airports can never be perfect neighbors, but we can take steps to make them better neighbors,” Rep. Crowley said.

“The Silent Skies Act will help achieve that goal by requiring airlines to begin stocking their fleets with newer, quieter aircraft. It is one of the few solutions that would benefit all of the surrounding communities of our airports. While commercial aircraft can never be truly silent, we can make sure they are less disruptive to the families who live nearby and improve the quality of life in our communities, not just here in Queens but throughout the country.”

“In 2006, the FAA issued regulations requiring all new commercial aircraft designs to meet Stage 4 noise standards. While these new rules were a significant step toward improving the quality of life for those who live near airports, the FAA was silent on whether airlines would need to phase out older, louder airplanes or retrofit them with quieter engines.

“In order to introduce quieter airplanes into the market, the Silent Skies Act will require the FAA to issue the new regulations to phase in the quieter engines at a rate of 25% of an airline’s fleet every five years, so that all commercial airplanes meet these quieter standards by 2035 at the latest.

“In addition, the bill encourages research and development of quieter engine technologies. Currently, there is no stream of federal funding dedicated specifically to the development of quieter engines. The Silent Skies Act authorizes a new partnership program for the development of technologies to help meet Stage 4 or better standards. The partnership is a grant program that requires a portion of revenues from the sale of successful, new technologies to be paid back into the program.

“New Yorkers should not have to worry about constant interruptions by airplanes flying overhead,” said Rep. Israel. “We’ve made significant strides by getting the Port Authority to create an Airport Advisory Committee to address this issue and by pushing for more noise monitors to measure the noise level, but it’s not enough. The Silent Skies Act will promote the use of newer, quieter aircrafts and will make a big difference for residents in Queens and Nassau County, as well as those who live near airports all over the country. I urge my colleagues to swiftly pass this common-sense legislation.”

“The quality of the life in the neighborhoods surrounding JFK and LaGuardia should be better,” said Rep. Meeks. “The Silent Skies Act recognizes that we cannot remove airports from our neighborhoods, however we can take practical measures to mute the noise pollution caused by air traffic. This bill works to phase out louder aircraft engines and supports the introduction of new technology that significantly reduces their environmental impact. By making our communities more livable, the Silent Skies Act paves the way for increased and diversified economic investment.”

“Airplane noise continues to ruin the quality of life in Queens,” said Rep. Meng. “It is imperative that we do all we can to reduce it, and requiring airlines to fly quieter aircrafts would go a long way towards achieving that critical goal. I’m happy to support the Silent Skies Act and look forward to

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working with Congressman Crowley to pass it.”

“Recent changes in flight procedures have caused constant, intolerable noise in wide areas of our New York/New Jersey metro area,” said Queens Quiet Skies President Janet McEneaney. “Queens Quiet Skies applauds Rep. Crowley’s initiative to take action against aircraft noise at its source and to provide funding for noise research that will benefit all of us. For too long, the interests of residents here were not considered when aviation procedures were planned. With this proposed legislation, Rep. Crowley is telling members of the airline industry that we expect them to take their share of responsibility to fix the problems caused by those new flight procedures. With creative problem-solving like Rep. Crowley’s legislation, the airlines will actively participate in finding answers that will protect millions of residents on the ground without sacrificing performance, safety or jobs.”

Rep. Tammy Duckworth issued a separate news release on Jan. 7:

Today, Congresswoman Tammy Duckworth (IL-08) announced her cosponsorship of the Silent Skies Act. The legislation is an important step towards reducing noise pollution at Chicago O’Hare International Airport. The bill requires airlines to expedite the development of technologies to reduce airplane noise in their existing fleets.

“As one of the nation’s busiest airports, Chicago O’Hare is a vital hub for passengers and our businesses,” said Duckworth. “Projects like the O’Hare Modernization Program will have a strong impact on the region’s economy and will generate up to 195,000 new jobs. Still, it is crucial that improvements at O’Hare do not hurt the quality of life for my neighbors. The Silent Skies Act will help mitigate increased noise from O’Hare and allow our economy to grow without disrupting our communities.”

In Brief...

FAA announced on Dec. 26 that it will complete its review of a proposed Part 150 Noise Compatibility Program submitted for Martin County Airport/Witham Field, FL, by June 16.

FAA announced on Dec. 23 that it will complete its review of a proposed Part 150 Program submitted by the Port of Seattle for Seattle-Tacoma International Airport by June 10.

FAA announced on Dec. 27 that Noise Exposure Maps submitted by Monroe County, FL, for Key West International Airport meet applicable federal requirements.

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 26, Number 2

January 17, 2014

FAA

ANNOYANCE SURVEY WILL HELP DETERMINE IF CHANGES TO 65 DNL NEEDED, HUERTA SAYS

The results of annoyance surveys the Federal Aviation Administration plans to conduct at 20 airports in the near future will help determine whether changes to the agency's DNL noise metric and 65 DNL standard for determining residential compatibility with airports are warranted, FAA Administrator Michael Huerta told Illinois lawmakers.

"As you may be aware, the FAA is currently conducting research to determine the appropriateness of the continued use of the DNL 65 dB metric," the FAA Administrator told Rep. Michael Quigley (D-IL) and Jan Schakowsky (D-IL) in a Dec. 24, 2013, letter.

The lawmakers – who are under strong pressure from communities they represent that have been impacted by aircraft noise caused by a major realignment of runways and opening of a new runway at Chicago O'Hare International Airport – had asked the FAA Administrator to expedite its multi-year review of DNL.

"This research primarily involves developing a national survey to evaluate the

(Continued on p. 7)

Helicopters

SPENDING BILL FORCES FAA TO ACT TO CUT HELICOPTER NOISE OVER LOS ANGELES

Tucked into the Omnibus spending bill passed by Congress on Jan. 16 is a provision requiring the Federal Aviation Administration to initiate regulations addressing helicopter noise and safety issues above Los Angeles within one year, unless the agency can demonstrate that the six voluntary measures it committed to take in May 2013 have proven to be effective.

"This legislation will hold the FAA's feet to the fire and will ensure that the agency will complete their work on time and without delay. If after a year, residents, homeowners and business owners do not see a marked difference and reduction in the level of unnecessary helicopter noise, the legislation will require the FAA to set new rules and regulations – something that they thus far have been unwilling to do," said California Sen. Dianne Feinstein (D).

Section 119D of the Omnibus Appropriations Act, which funds the federal government for the remainder of fiscal year 2014, directs FAA to move forward immediately on the six voluntary measures to reduce helicopter noise over Los Angeles it has promised to undertake:

- (1) Evaluate and adjust existing helicopter routes above Los Angeles, and

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In This Issue...

DNL ... FAA plans to conduct annoyance surveys at 20 airports in the 2014-2015 timeframe to help it determine whether changes to 65 DNL are needed - p. 6

Helicopters ... Omnibus spending bill forces FAA to regulate helicopter noise mitigation over L.A. if agency cannot demonstrate progress via voluntary action within one year - p. 6

Massport ... Noise monitoring systems at Boston Logan Int'l, Hanscom Field get major upgrades - p. 7

Frankfurt ... Airport rewarding airlines for using modern, low-noise aircraft on int'l flights - p. 7

Part 150 Studies ... PFCs to fund noise studies at Laughlin-Bullhead, Gainesville, Burlington Int'l - p. 8

Bromma Stockholm ... \$15,000 award offered for best solution to ground noise problem in community near airport - p. 9

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American public's annoyance reaction to aircraft noise in the current operating environment. Work began a couple of years ago through an Airport Cooperative Research Program (ACRP) project. The goal of the ACRP project is to develop the methodology and draft questionnaire for the national survey. The ACRP project is progressing well and is currently on schedule for completion in early 2014," Huerta told them.

"In addition, we have completed an assessment and made a preliminary determination that the national survey will be administered at 20 airports across the United States, as a representative sample. Finally, we are also updating the noise contours around all 20 representative airports so we can link the survey findings to actual noise levels.

"The current anticipated time for completing the national survey and the analysis of survey results is December 2015. The results of this study will be used to determine whether changes to the FAA's use of the DNL 65 dB noise metric are warranted. The development and coordination of new policy would take place after the completion of the national survey."

Huerta said the FAA is "committed to completing [its review of 65 DNL] expeditiously while ensuring the scientific integrity of the work."

65 DNL is the lynchpin of FAA's almost 40-year-old aircraft noise policy. While the DNL metric is sensitive to the loudness of aircraft, it is not sensitive to significant increases in the number of aircraft overflights.

Critics of DNL say it also does not adequately reflect the noise impact of narrow, focused flight paths brought about by precise NextGen navigational procedures.

Massport**NOMS AT LOGAN INT'L, HANSCOM FIELD GET MAJOR UPGRADES**

The Board of the Massachusetts Port Authority (Massport) recently approved a major enhancement to the noise monitoring system at Boston Logan International Airport and L.G. Hanscom Field.

The upgraded system will provide near real-time, web based flight tracking to the public utilizing the latest web technology, including high definition displays; compatibility with multiple browsers, tablets and smart phones; map filtering for arrivals, departures and overflights; replay compatibility; on-line complaint features and real-time weather displays, Massport said.

"This enhanced system is a more sophisticated noise monitoring tool and website that is a critical component of Massport's commitment to our neighbors and those communities affected by aircraft operations," said Massport CEO Thomas P. Glynn.

"In 2002 Logan Airport was one of the first airports in the nation to provide web based flight tracking to the public and

this new version adopts the latest advances in website technology."

The Massport noise monitoring system is composed of 36 field monitors, 30 located in the communities around Logan Airport and six around Hanscom Field. The system utilizes a sophisticated database integrating input from the monitors, flight tracks, complaints, and weather.

Exelis Inc., formerly Rannoch Corporation, was selected in 2004 after a competitive bid process to operate and maintain the system for Massport and will implement the new system under a five year \$2.8 million contract.

"We appreciate Massport making this investment to keep pace with a technology that allows residents living around Logan Airport the ability to submit on-line complaints and perform research based on actual flight track data," said Sandra Kunz chair of the Logan Airport Citizens Advisory Committee that represents 36 communities surrounding Logan Airport.

The current system is accessible on massport.com and is used by 20,000 people annually.

Frankfurt Airport**AIRLINES USING MODERN LOW-NOISE AIRCRAFT GET REWARDED**

On Jan. 1, Fraport AG – the Frankfurt Airport (FRA) company – began rewarding airlines that operate modern, low-noise aircraft on international routes and achieve passenger growth of more than one percent per year with retroactive reductions in airport charges during 2014 and 2015.

Furthermore, each subsequent year will be rewarded with an additional incentive sum, if the airline maintains the previous year's growth in terms of the absolute number of passengers.

Fraport's new incentive program was approved by the Hessian Ministry of Economics, Transport and Urban Development. On Jan. 1, the program became an official part of FRA's Airport Charges Regulation.- -

"Fraport is already a global leader in establishing a greater range in airport charges based on noise categories. Quiet aircraft are charged less, while loud aircraft pay significantly more. This additional incentive program underscores how we consistently use airport charges as a way to reward airlines that deploy the quietest aircraft possible," explained Fraport AG's Executive Board Chairman Dr. Stefan Schulte.

Domestic traffic has been intentionally excluded from the new program because FRA intends to strengthen European and international traffic and hence its role as an intercontinental hub, FRA said.- -

Passenger growth is measured on the basis of the previous year's volume – with continental and intercontinental traffic treated separately. In the respective traffic segment, an airline is required to transport at least 7,500 departing passengers and achieve at least one percent growth each year. "If these

criteria are met, Fraport AG will refund at the end of 2014 and/or 2015 a certain growth-dependent amount to the airline as an incentive for each additional passenger,” FRA explained.

Incentives are awarded on a sliding scale from 4 to 10 euros per passenger. The higher an airline’s passenger growth increase, the higher the amount of the incentive per passenger to be paid. Furthermore, the incentive amount is higher for intercontinental passengers than for continental passengers.-

Fraport only takes into consideration the portion of passenger growth that the airline achieves using low-noise aircraft types. For continental routes, this means aircraft types classified within noise categories 1 through 11. For intercontinental routes, this means aircraft types grouped in noise categories 1 through 12. Frankfurt Airport has a total of 16 aircraft noise categories.

Airlines that did not fly to Frankfurt Airport during the past two consecutive timetables are considered “new entrants”. Thus, for each new route in the FRA schedule these airlines will receive the maximum incentive for each departing passenger exceeding the minimum of 7,500 passengers in the first year. When these “new entrants” serve an existing route, the amount of the incentive reduces by 50 percent. Existing routes are defined as all routes that have already been served by any airline in the Summer Timetable 2013 or Winter Timetable 2013/2014.-

PFCs

PFC’S TO FUND PART 150 NOISE STUDIES AT THREE AIRPORTS

On Jan. 6, the Federal Aviation Administration announced its approval of the collection and use of Passenger Facility Charges (PFCs) to fund Part 150 Airport Noise Compatibility studies at Laughlin-Bullhead (AZ) International Airport, Gainesville (FL) Regional Airport, and Burlington (VT) International Airport.

- Laughlin-Bullhead International – FAA approved an application by the County of Mohave, AZ, to impose and use a \$2 PFC (from Jan. 1, 2014, to Jan. 1, 2025) for a total revenue of \$1,477,531, to fund various projects including a Part 150 Airport Noise Compatibility Study.

- Gainesville Regional Airport – FAA approved an application by the City of Gainesville, FL, to impose and use a \$4.50 PFC (from Jan. 1, 2014, to Aug. 1 2016) for a total revenue of \$1,250,942, to fund various projects including a Part 150 Airport Noise Compatibility study.

- Burlington International Airport – FAA approved an application by the City of Burlington, VT, to impose and use a \$4.50 PFC (from April 1, 2014, to Feb. 1, 2016) for a total revenue of \$5,240,755, to fund various projects including “a noise study and noise compatibility study.”

Helicopters, from p. 6

make adjustments to such routes if the adjustments would lessen impacts on residential areas and noise-sensitive landmarks;

- (2) Analyze whether helicopters could safely fly at higher altitudes in certain areas above Los Angeles County;
- (3) Develop and promote best practices for helicopter hovering and electronic news gathering;
- (4) Conduct outreach to helicopter pilots to inform them of voluntary policies and to increase awareness of noise sensitive areas and events;
- (5) Work with local stakeholders to develop a more comprehensive noise complaint system; and
- (6) Continue to participate in collaborative engagement between community representatives and helicopter operators.

If the Secretary of Transportation cannot demonstrate within one year that these voluntary measures have been effective, Section 119D directs the Secretary to “begin the development of regulations related to the impact of helicopter use on the quality of life and safety of the people of Los Angeles County.”

“I am optimistic this provision will improve the quality of life for millions of people living in Los Angeles,” Sen. Feinstein said in a statement issued jointly with Rep. Adam Schiff (D-CA).

They and other members of the California congressional delegation have worked for the past two years to pass legislation aimed at mitigating helicopter noise over Los Angeles County, which has become an issue of great concern to a growing number of their constituents.

“Residents of the Los Angeles region have been plagued for decades by frequent and disruptive helicopter noise, and despite persistent efforts to work on a collaborative basis with stakeholders to reduce the impact of helicopter noise, little has changed,” Rep. Schiff and Sen. Feinstein said.

Last year, Schiff, Feinstein and other members of the Los Angeles delegation introduced the Los Angeles Residential Helicopter Noise Relief Act (H.R. 456), which would require the FAA to regulate the altitudes and flight paths of helicopters operating in Los Angeles County.

However, in a report released in May 2013 – which drew fire from California lawmakers and L.A. residents – FAA concluded that, given the complexity of the L.A. airspace and enormous volume of air traffic, it would be extremely difficult, if not impossible, to develop regulations governing helicopter operations.

The FAA committed to undertake and support the six actions listed above. The provision added to the Omnibus Appropriations Act will force the FAA to move on those actions.

“For years, the FAA has not felt the urgency that homeowners and residents across Los Angeles County have felt – very literally with the rattling of windows – on the need to reduce helicopter noise,” said Rep. Schiff.

“While we are continuing to work with the FAA on voluntary measures, we need to take an ‘all of the above’ ap-

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proach towards solving this issue – including new rules and regulations. With this legislation, FAA will have one year to act on its pledge to reduce helicopter noise or it will be forced to regulate.”

The Airports Council International – North America (ACI-NA) said it is pleased with the funding levels agreed to in the Omnibus spending bill.

It fully funds the Airport Improvement Program at \$3.35 billion; funds the Airport Cooperative Research Program at \$15 million; funds FAA’s Airport Technology Research program at \$29.5 million; and funds NextGen operations and planning at \$59.7 million.

The Omnibus spending bill funds FAA at a level of \$12.4 billion, which is \$168 million below the fiscal year 2013 enacted level. The bill rejects the Obama Administration’s proposal for higher levels of Passenger Facility Charges.

Bromma Stockholm Airport

\$15,000 AWARD OFFERED FOR BEST SOLUTION TO GROUND NOISE PROBLEM

In an effort to get the best and brightest minds in the world focused on finding creative ways to reduce ground noise in a residential area near Bromma Stockholm Airport, airport operator Swedavia has launched a contest with a 100,000 SK (about \$15,000 US) award to the winner.

Swedavia’s Airport Innovation Challenge 2014, which is open to everyone, was launched on Dec. 23, 2013. Feb. 14 is the deadline for registering for the Challenge and Feb. 28 is the deadline for idea submissions.

The purpose of the Challenge “is to find a smart solution that is both effective in reducing ground noise in the residential area of Bromma Kyrka, and also makes a positive element in the surrounding landscape in Bromma Kyrka,” Swedavia said.

The state-owned group, which owns and operates 10 Swedish airports, said it is “looking for people who can develop feasible solutions and who can address the challenge holistically.” The Challenge is open to both individuals and teams comprised of members from different academic fields and with different skills (acoustics, geotechnics, architecture, construction engineering, etc.).

Five finalists will be chosen and given an opportunity to refine their entries based on feedback from Swedavia. The finalists will present their final ideas to the judging panel, consisting of representatives of Swedavia, “relevant experts,” and residents of Bromma Kyrka.

For further information, go to <http://swedaviaairportchallenge.com>

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 26, Number 3

January 24, 2014

Chicago O'Hare Int'l

ALDERMEN REQUEST HEARING TO LEARN WHAT IS BEING DONE TO ADDRESS NOISE

Two Chicago aldermen are calling for a hearing before the Chicago City Council on the noise impact caused by a major realignment of runways and opening of a new runway at Chicago O'Hare International last fall.

Their Jan. 15 resolution comes just days after a Chicago Department of Aviation report showed that aircraft noise complaints at O'Hare hit an all-time high in 2013.

A total of 24,847 complaints were filed between January and November 2013. That is more than any full year of complaints filed since 1996 when the city installed a noise monitoring system at O'Hare.

O'Hare noise complaints increased 36 percent from October to November 2013. That is the first full month after flight paths were changed to an east-west runway alignment and a fourth east-west parallel runway opened.

However, the Chicago Department of Aviation (CDA) said that 4,763 complaints in November 2013 came from 395 people, an average of 12.1 complaints

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Jackson Hole Airport

FAA PROVIDING \$1 MILLION FOR NOISE STUDY OF AIRPORT IN GRAND TETON NATIONAL PARK

In February of March, a Part 150 airport noise compatibility study will get underway at Jackson Hole Airport, which sits on 528 acres of leased land within the noise-sensitive Grand Teton National Park in Wyoming.

The Federal Aviation Administration provided a \$1 million Airport Improvement Program grant to the airport to conduct the noise study. That is a funding level far higher than other airports have received for Part 150 studies.

The high cost of the study is due to additional noise analysis that is required for the particularly noise-sensitive airport, Assistant Airport Director Jeanne Kirkpatrick explained.

Noise contours will be calculated in 5 dB DNL increments from 45 DNL to 75 DNL and different aircraft approach procedures (likely advanced Performance-based Navigation) will be considered to move noise away from housing developments and noise-sensitive areas of the park, she said.

In addition, there are many restrictions in the lease the airport operates under that must be considered, she noted.

The Part 150 study for Jackson Hole Airport will be conducted by the architect-

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European airports are concerned about a provision in legislation the EU is expected to move on this spring that requires airports to consider health impacts when adopting aircraft noise restrictions - p. 11

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Airbus leads team of aviation firms that partner with Smithsonian to use NextGen technologies to track, monitor endangered, wildlife - p. 12

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Jonathan Collette, Noise Manager for Philadelphia Int'l Airport, dies suddenly at 38 - p. 13

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per person. The 395 people complaining in November 2013 represented the fewest number of complainants for the whole year, according to the CDA.

Chicago Aldermen Mary O'Connor and Margaret Laurino want Chicago Aviation Commissioner Rosemarie Andolino, the Federal Aviation Administration, and the major airlines serving O'Hare to testify at the hearing they are seeking on efforts to mitigate the noise impact caused by the flight path changes made under the O'Hare Modernization Program, which is being undertaken to increase efficiency and safety at the airport.

"I co-sponsored this resolution because I feel it's important to keep the conversation going about these changes that have taken place at O'Hare Airport," O'Connor told her constituents in an e-mail announcing her call for the hearing.

"I certainly recognize and respect the important role that this airport plays in boosting the economy of the entire region but as your elected representative in the City Council and Vice-Chair of the Aviation Committee, I have a responsibility to use every available resource when it comes to preserving quality of life in our communities.

"It is my goal to maintain a dialogue on these issues and work with the stakeholders on striking a balance that fosters economic growth for the region, while still respecting the concerns of residents of the far northwest side of the City."

It is unclear when the City Council will vote on the resolution to hold the hearing on noise impact and how much support it has. A call to Alderman's O'Connor's office by ANR was not returned by deadline.

However, the City of Park Ridge, IL, strongly supports the hearing. "Many residents in Park Ridge have experienced for years the pain and disruption in quality of life that your constituents are just now beginning to experience themselves," Park Ridge Mayor David Schmidt told Aldermen O'Connor and Laurino in a Jan. 17 letter.

"We share your desire to find a solution to these problems and are ready and willing to work with you cooperatively towards that efforts."

No Changes to Flight Paths

The call for a City Council hearing on the noise impact of the flight path changes also comes after Chicago Commissioner of Aviation Rosemarie Andolino told IL congressional representatives Mike Quigley (D) and Jan Schakowsky (D) that the city would not begin O'Hare's Fly Quiet Program at 9 p.m. instead of 10 p.m. and would not adjust flight paths to spread the noise impact as had been suggested.

"O'Hare handles a considerable amount of traffic between 9 p.m. and 10 p.m. that would be negatively impacted by limiting available runways. As a result, the Chicago Department of Aviation does not support any changes to the hours of the Fly Quiet Program," Andolino explained in a Jan. 8 letter to Quigley and Schakowsky.

And Andolino said that altering flight paths "would sim-

ply displace noise impacts from one neighborhood to another."

Rep. Quigley wants the CDA and the FAA to more equally distribute aircraft operations on O'Hare's east-west parallel runways to spread the noise impact and provide relief to the neighborhoods getting it now.

Currently, after 10 p.m. when the Fly Quiet Program is in effect and demand is lower, O'Hare is operated using one arrival and one departure runway.

The CDA said it does support FAA's efforts to study the possibility of modifying the manner in which noise contours are created for sound insulation purposes.

Chicago is sound insulating more than 6,000 residences at a cost of approximately \$150 million in and around O'Hare as part of its O'Hare Modernization Program (OMP).

"O'Hare and Midway are Chicago's economic engines, generating 540,000 jobs and \$45 billion in economic activity to our region," the CDA said, asserting that the OMP "is an excellent example of balancing airport improvements and quality of life issues. With the OMP, O'Hare will help Chicago to generate 195,000 new jobs and generate \$18 billion in annual economic activity."

Europe**ACI-EUROPE OPPOSES HEALTH IMPACT PROVISION IN NOISE BILL**

European airports are concerned about a provision in aircraft noise legislation the European Union is expected to move on this spring that requires airports to consider health impacts when adopting aircraft noise restrictions.

"Don't get me wrong. Nobody denies that noise can have an impact on health. But the point is that we still don't have an authoritative agreed methodology on how to assess this impact," ACI-Europe President and CEO of Brussels Airport Company Arnaud Feist told Members of the European Parliament at a Jan. 22 evening reception at the European Parliament in Brussels.

He added, "If we include these provisions in the new regulation, any attempt to carry out a health impact assessment would most likely be challenged in court, effectively blocking the process and thus delaying the withdrawal from operations of the noisiest aircraft. This is certainly not the outcome we wish for. As airports, the ability to communicate to our communities a calendar for the withdrawal of [noisier Stage 3] aircraft is absolutely essential."

The legislation makes it easier for European airports to bar so-called "marginally compliant" Stage 3 aircraft that do not meet ICAO's more stringent Chapter 4 noise standards.

Feist said that ACI-Europe supports the overall legislation, which was approved by the European Parliament in December 2012 and requires European airports to follow the International Civil Aviation Organization's Balanced Approach to adopting new noise restrictions, under which the

most cost-effective airport noise mitigation measure must be selected.

Unlike ICAO's guidance, the European legislation requires that when determining what the most cost-effective noise mitigation measure is, "health and economic aspects" must be taken into account "on an airport by airport basis in order to safeguard the health of citizens living in nearby areas."

The health effects provision appears to have been added by the European Parliament. It notes, "A large number of EU citizens are exposed to high noise levels which may lead to negative health effects, particularly where night flights are concerned."

The legislation defines "marginally compliant" aircraft – the noisiest operating at European airports – as those that meet ICAO Chapter 3 noise standards by a cumulative margin of less than 8 EPNdB during a four-year transition period after the legislation is passed.

Following the transition period, "marginally-compliant" aircraft are defined as those that meet ICAO Chapter 3 noise standard by a cumulative margin of less than 10 EPNdB. The legislation does not specify which aircraft meet these definitions but Stage 3 hushkitted aircraft likely do.

The EC said that "marginally-compliant" aircraft account for a disproportionate amount of noise nuisance.

The noise provisions of the legislation are part of a comprehensive package of measures the EU will consider this spring to help increase the capacity of Europe's airports, reduce delays, and improve the quality of ground-handling services.

Jackson Hole, from p. 10

tural and engineering firm Mead & Hunt and the airport consulting firm BridgeNet International.

Jackson Hole Airport has 290,000 enplanements a year, Kirkpatrick said, including non-stop flights by 757s to airports in 10 distant cities, including JFK, Atlanta-Hartsfield, Chicago O'Hare, San Francisco, and Seattle International.

NextGen

AVIATION FIRMS, SMITHSONIAN PARTNER TO TRACK ANIMALS

Advanced NextGen technologies used to track aircraft will now be used to track and monitor endangered wildlife under a unique 'Partners in the Sky' project, a major collaboration between a diverse group of aviation firms and the Smithsonian Institution.

The public-private partnership was launched in December 2013 during a standing-room-only event held at a highly appropriate location: the Smithsonian National Zoological Park's Elephant Community Center in Washington, D.C.,

with three of the facility's well-known resident pachyderms – Ambika, Kandula and Shanthi – in attendance as the program was unveiled.

The program was the brainchild of Airbus and includes Intel, Iridium Communications Inc., Joubeh, Lockheed Martin, Michael Goldfarb Associates, Raytheon, Rockwell Collins and United Airlines. Pennsylvania State University's Applied Research Laboratory became a member thanks to a donation from the Rick Bowe and Karen Nemeth Charitable Fund.

"Partners in the Sky aims to create a first-of-its-kind global animal tracking system to monitor the migratory activity of animals, which is essential to maintaining ecosystems and ultimately a healthy planet. Specifically, the program could discover unknown migration routes, help better understand the spread of infectious diseases, combat poaching, save species from extinction and other major achievements," Airbus explained.

"Such a comprehensive tracking program that can be shared across the conservation community has enormous potential, though technological hurdles must first be overcome. While migrations are common among more than 6,000 animal species, more than 90 per cent of the globe's wildlife is too small to track; and for larger species like elephants, conservation-tracking technologies are prohibitively expensive, have high failure rates and are limited in their range and resolution."

Airbus Americas Chairman Allan McArtor learned of the technical challenges facing this effort and knew the aviation industry could help.

"Aviation and aerospace companies deploy similar technologies and programs every day – whether in satellite navigation, communication and surveillance or in high-fidelity tracking," said McArtor, who provided comments during the launch event. "No industry is better positioned to help the public sector transform wildlife conservation and make a difference in the health of our planet."

Four Key Goals of Action Plan

Scientists from the Smithsonian Conservation Biology Institute have identified specifications for the ideal tracking system, and in coordination with the Partners in the Sky consortium, charted a course of action that includes four key parts:

- Miniaturize tracking devices to 1 gram or less;
- Increase data transmission and make tracking devices more affordable and reliable;
- Use aircraft equipped with antennae and receivers to collect data from transmitter-tagged wildlife; and
- Integrate tracking with environmental satellite data, to help predict why, how, where and when animals move.

ANR EDITORIAL ADVISORY BOARD

In Brief...

Jonathan Collette Dies Suddenly

With sadness, ANR reports the death of Jonathan David Collette, 38, Noise Abatement Manager for Philadelphia International Airport.

He died suddenly on Dec. 27, 2013, at home.

Born in Providence, RI, and raised in Cranston, RI, he graduated from Wheeler School in Providence, RI, class of 1993 and earned his Masters degree in Aviation Management from Daniel Webster College in New Hampshire where he was a member of the Alpha Eta Rho fraternity.

While attending college, he also acquired his pilot's license.

Jonathan resided for the past five years in Philadelphia, PA, previously residing in St. Petersburg, FL.

After working for the St. Petersburg-Clearwater Airport in Florida for several years, he then worked for Philadelphia Airport Operations as the Noise Abatement Manager for five years.

He is survived by his wife of three years Anna M. Angone Collette, parents, Jerry and Norma Gardner Collette, two siblings, Daniel Collette and Rebekah Neri, and four nephews.

"John enjoyed spending time with his family and had a passion for airplanes, movies, and all things celestial," his family wrote in his Obituary. "John will always be remembered for his hardworking spirit, strong love for his family, undaunted determination, and incredible sense of humor."

Noise Maps for Rockford, Bradley Approved

Updated noise exposure maps submitted by the Greater Rockford Airport Authority for the Chicago Rockford International Airport meet federal requirements, the FAA announced Jan. 22.

For further information, contact Amy Hanson, an Environmental Protection Specialist in FAA's Chicago Airport District Office; tel: 847-294-7354.

Noise exposure maps submitted for Bradley International Airport, in Windsor Locks, CT, are in compliance with applicable requirements, FAA announced Jan. 21.

For further information, contact Richard Doucette, FAA New England Region, Airports Division, 12 New England Executive Park, Burlington, MA 01803 (no e-mail or telephone number were provided).

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Airport Noise Report



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Volume 26, Number 4

February 7, 2014

ACRP

GUIDANCE FOR REDUCING, ELIMINATING DETERIORATION IN SIP PROGRAMS ISSUED

A new Airport Cooperative Research Program report documents best practices for reducing or eliminating future deterioration issues in all phases of an airport sound insulation program.

ACRP Report 105: *Guidelines for Ensuring Longevity in Airport Sound Insulation Programs* focuses on ensuring that sound insulation programs continue to be effective for the homeowners or building occupants.

The guidance will be useful to any program manager responsible for designing and implementing a sound insulation program.

The report, available at <http://www.trb.org/ACRP/Blurbs/170231.aspx>, provides guidance on the materials, design criteria, installation criteria, and maintenance required to ensure longevity in sound insulation programs as well as describing the detailed steps necessary to prevent and/or address specific problems and the detailed inspection procedures needed to implement such programs.

“Sound insulation programs have been in existence since the 1980s and have

(Continued on p. 15)

NextGen

LOBIONDO IS ‘CLOSELY MONITORING’ FAA RESPONSE TO NAC NEXTGEN PRIORITIES

Chairman of the House Aviation Subcommittee Rep. Frank LoBiondo (R-NJ) told Federal Aviation Administrator Michael Huerta at a Feb. 5 hearing that he is “closely monitoring” the FAA’s response to the NextGen Advisory Committee’s recommendations for prioritizing NextGen projects.

“This was not an exercise undertaken to validate the FAA’s NextGen implementation plan and it should not be treated as such by the FAA,” LoBiondo said in a written statement.

“The NAC stakeholders responded to an FAA request quickly and deliberately, and produced a set of consensus-based recommendations regarding which NextGen capabilities need to be prioritized given the tight federal budget environment. These recommendations must be taken seriously and the agency has to show stakeholders that it is taking the necessary steps to address them,” LoBiondo wrote.

Huerta assured the Aviation Subcommittee Chairman that the FAA is reviewing the NAC recommendations and will respond to them this year.

In July 2013, FAA asked the NAC to review current agency plans and activities that have an effect on the implementation of NextGen and to develop a prioritized

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successfully improved the quality of life for homeowners living near airports,” Transportation Research Board Staff Officer Marci Greenberger explains in the Foreword to the report.

“There have been significant improvements in materials, treatments, and techniques in the last 30 years and many lessons learned. However, there isn’t a single reference that documents best practices, nor an evaluation of the continuing effectiveness of those early programs.

“Wyle, as part of ACRP Project 02-31, was tasked with evaluating the degree and causes of any deterioration in the acoustic performance of homes and buildings from those early sound insulation programs and with providing guidance to airports to ensure the durability and attenuation performance for current and future sound insulation programs.

“The results of their research are provided in ACRP Report 105. In addition, the results of their field studies, which involved recreating the testing process in homes from those early programs, can be found in the Contractor’s Final Report for ACRP Project 02-31 on the TRB website.

“These guidelines in ACRP Report 105 complement ACRP Report 89: *Guidelines for Airport Sound Insulation Programs*, which provides guidance to airports pertaining to the management of sound insulation programs, and which includes a discussion on the relatively new guidance provided by the FAA in Program Guidance Letter (PGL) 12-09, “AIP Eligibility and Justification Requirements for Noise Insulation Projects, August 2012.”

Air France**AIRLINE TO LOWER A320 FAMILY APPROACH NOISE BY UP TO 8 DB**

Air France announced on Jan. 28 that, starting this summer, it will progressively equip all its aircraft in the Airbus A320 family (A318, A319, A320 and A321) with noise reduction kits.

The new equipment will lower by up to 8 decibels the noise generated by these aircraft during the descent and aircraft approach phases, starting from 40km and up to 12km from the runway, Air France said.

The upgrades to all the aircraft will begin in June 2014 and should be completed before end-2015.

“Noise is one of the priority stakes in our environmental policy. With this new investment, Air France illustrates its determination to pursue the improvements made in this area and meet the high expectations of local residents living in the vicinity of airports, in France and abroad,” said Bertrand Lebel, Executive Vice President Organization and Corporate Social Responsibility.

Last October, Lufthansa said that it was modifying 157 of its A320 aircraft with vortex generators – small metal vanes placed on aircraft wings – developed by Airbus especially for

the A320 family that will reduce the total noise generated on approach by up to two decibels (25 ANR 147).

Air France did not explain what technology it would employ to lower noise on arrival but it may be with vortex generators.

UK**ALTITUDE BASED PRIORITIES FOR NOISE, EMISSIONS ADOPTED**

The UK Department of Transport recently issued updated guidance to the Civil Aviation Authority (CAA) defining how it should consider aircraft noise and emissions in exercising its air navigation functions.

Key to the new guidance is the introduction of altitude-based priorities clarifying at what altitude aircraft noise and emissions should be given priority over one another in assessing the environmental impact of air navigation procedures.

“The concept of altitude-based priorities reflects the Government’s desire that only significant environmental impacts should be taken into account when considering the overall environmental impact of airspace changes. Any environmental impacts that are not priorities based on the altitude-based criteria do not need to be assessed since the assumption is that they would not be significant,” the updated DfT guidance states.

The DfT guidance includes the following altitude-based priorities:

- In the airspace from the ground to 4,000 feet above mean sea level (amsl) the Government’s environmental priority is to minimize the noise impact of aircraft and the number of people on the ground significantly affected by it;
 - Where options for route design below 4,000 feet (amsl) are similar in terms of impact on densely populated areas, the value of maintaining legacy arrangements should be taken into consideration;
 - In the airspace from 4,000 feet (amsl) to 7,000 feet (amsl), the focus should continue to be minimizing the impact of aviation noise on densely populated areas, but the CAA may also balance this requirement by taking into account the need for an efficient and expeditious flow of traffic that minimizes emissions;
 - In the airspace above 7,000 feet (amsl), the CAA should promote the most efficient use of airspace with a view to minimizing aircraft emissions and mitigating the impact of noise is no longer a priority;
 - Where practicable, and without a significant detrimental impact on efficient aircraft operations or noise impact on populated areas, airspace routes below 7,000 feet (amsl) should, where possible, be avoided over Areas of Outstanding Natural Beauty (AONB) and National Parks as per Chapter 8.1 of this Guidance; and
 - All changes below 7,000 feet (amsl) should take into account local circumstances in the development of airspace

structures.

Underpinning this new guidance are two key objectives:

- Recognition that the UK needs to improve the efficiency of its airspace network and that includes mitigating the environmental impact of aviation;
- Reaffirmation of the need to consult local communities near airports when airspace changes are being considered in the vicinity of these airports.

However, the DfT said that it “recognizes that it is not an easy task to always balance the interests of local communities and relevant stakeholders with those of the aviation industry, but we are confident that the CAA will continue to play an active role in ensuring that an appropriate balance is maintained in the future.”

The DfT said the purpose of its updated guidance “is to provide the CAA and the aviation community with additional clarity on the Government’s environmental objectives relating to air navigation in the UK. However, when considering airspace changes, there may be other legitimate operational objectives, such as the overriding need to maintain an acceptable level of air safety, the desire for sustainable development, or to enhance the overall efficiency of the UK airspace network, which need to be considered alongside these environmental objectives. We look to the CAA to determine the most appropriate balance between these competing characteristics.”

The DfT guidance recommends the CAA should follow a policy of concentration unless local circumstances mean that dispersing traffic would be beneficial, such as in noise sensitive areas. The DfT also encourages the CAA to consider, along with other stakeholders, how alternations for days or weeks could provide respite for communities.

“Guidance to the Civil Aviation Authority on Environmental Objectives Relating to the Exercise of its Air Navigation Functions,” dated January 2014, is available at http://www.aef.org.uk/uploads/air_navigation_guidance.pdf

Grand Canyon National Park

FAA TO AWARD 1,721 ADDITIONAL FLIGHTS TO QUIETEST AIR TOURS

The Federal Aviation Administration said Feb. 3 that it will add 1,721 flights at Grand Canyon National Park for air tour operators using quiet technology aircraft.

“I’m pleased that Federal Aviation Administration has increased the flight allocations over the Grand Canyon National Park’s carefully managed airspace, making more air tours available to Park visitors who choose tour companies that use quiet technology aircraft,” said Sen. John McCain (R-AZ).

“Air tours, and the unique sightseeing experience they provide, are an important part of the northern Arizona economy. While this is an important first step, I will continue to work with the National Park Service (NPS) and the FAA to further promote the use of quiet technology aircraft at the

Grand Canyon.”

In 2012, Congress enacted the Highway Transportation Bill (“MAP-21”) which directs the National Park Service (NPS) and FAA to implement an aircraft noise reduction program at Grand Canyon National Park.

Under the new law, both agencies are required to promote the use of quiet technology aircraft by increasing allocations to operators who install noise reduction systems, provided that it does not increase noise in the park.

FAA said its award of additional flight allocations will be based on first and second quarter air tour operator flight reports.

The additional 1,721 flights over Grand Canyon National Park represent just 0.5 percent of the 347,984 air tour operations authorized for the park. “Analysis shows that such a small number of Quiet Technology operations on existing routes will not cumulatively increase noise at the park and will not diminish the substantial restoration of natural quiet,” FAA explained in its announcement.

The provision of FAA-held allocations to commercial air tour operators through amendments to their operations specifications is categorically excluded for more detailed environmental review, FAA said.

NextGen, from p. 14

list of Tier 1 (consensus on activities that should continue no matter what) and Tier 2 (consensus on activities that should continue, resources permitting) recommendations.

At its Sept. 19, 2013, meeting, the NAC approved a report, entitled “NextGen Prioritization,” that ranked six NextGen projects as Tier 1 or highest priority. They focus on increasing airport capacity and reducing fuel burn and emissions through the use of PBN approach and departure procedures. The Tier 1 NextGen projects are:

- Performance-based Navigation (PBN), including large-scale airspace redesigns employing RNAV/RNP-AR procedures;
- Multiple Runway Operations – Reduced lateral separation standards for runways closer than 4,300 feet and 2,500 feet;
- Surface Operations – Data sharing on movement of surface aircraft traffic;
- Time Based Flow Management (TBFM) – Enroute and terminal metering/merging/spacing;
- Separation Management – Revise wake separation standards to improve throughput at capacity-constrained airports; and
- PBN at airport’s in FAA’s Optimization of Airspace and Procedures in the Metroplex (OAPM) effort.

The House Aviation Subcommittee hearing was held to get an update on the status of FAA’s implementation of the FAA Modernization and Reform Act of 2012.

“The Reform Act made significant changes to the NextGen program and the FAA has made progress imple-

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menting some provisions, but as the Government Accountability Office (GAO) and Department of Transportation Inspector General (IG) point out in their testimony, significant actions are needed to meet the intent of the Reform Act and improve the execution and management of NextGen,” LoBiondo said in his statement.

“For example, the FAA needs to demonstrate benefits, such as through the use of ADS-B technology or the implementation of performance-based GPS approaches, two areas in which the FAA is lacking according to the GAO and IG. Taxpayers and airspace users have invested a lot of money in NextGen, but considering repeated program delays and cost overruns, as well as our ongoing budget constraints, we need to hold the FAA accountable for implementing NextGen.”

In Brief...

Philadelphia Seeks Airport Noise Expert

The City of Philadelphia is seeking a senior technical expert in noise abatement for the City’s airports and to direct operations of the satellite noise abatement community outreach office.

The employee in this class develops policy recommendations for the noise abatement program and implements and manages the daily operations and maintenance of the Airport’s noise abatement program.

The employee compiles and analyzes data, conducts statistical analyses, prepares reports and researches and develops programs and procedures for noise related issues. The employee has extensive contact with airlines, airport users, governmental agencies and the surrounding communities in the development, monitoring and enforcement of noise abatement programs, procedures and regulations.

Work is performed under the supervision of the Airport Planning and Environment Manager.

The full job announcement is at <https://phila.peopleadmin.com/postings/5683>

Willow Run Part 150 Under Review

FAA announced Jan. 28 that it is reviewing the Part 150 Airport Noise Compatibility Program for Willow Run Airport in Ypsilanti, MI. The program will be approved or disapproved by July 15. The public comment period end on March 16.

The agency also announced that noise exposure maps submitted for the airport meet federal requirements.

For further information, contact Ernest Gubry in FAA’s Romulus, MI, office; e-mail: Ernest.Gubry@faa.gov; tel: 734-229-2900.

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 26, Number 5

February 14, 2014

Santa Monica Airport

JUDGE DOESN'T NEED HEARING TO DECIDE FED'S MOTION TO DISMISS CITY'S LAWSUIT

The federal judge presiding over the City of Santa Monica's lawsuit against the Federal Aviation Administration seeking control of Santa Monica Airport's future canceled a hearing set for Feb. 10 on the federal government's motion to dismiss the lawsuit.

Instead, Judge John F. Walter of U.S. District Court for the Central District of California, will issue a ruling on the federal government's motion to dismiss based on the papers filed by the parties.

If the Federal Government loses this case, the City of Santa Monica will come out from under federal grant obligations in 2015 and can do what it wants with the airport, including closing it or restricting operations to reduce aircraft noise and emissions impact and increase safety.

The city is in the middle of a "visioning process" with the community to determine what to do with the airport, which is the busiest general aviation airport in the country but closely surrounded by dense residential development.

(Continued on p. 19)

Los Angeles Int'l

LAWA PLANS TO SUBMIT TO FAA IN MARCH SECOND REVISION OF PART 161 APPLICATION

Los Angeles World Airports (LAWA) expects next month to resubmit to the Federal Aviation Administration its application supporting a Part 161 restriction at Los Angeles International Airport.

It will be LAWA's second attempt to convince FAA that its Part 161 application is complete.

LAWA's Part 161 application proposes to restrict easterly departures of all aircraft at LAX, with certain limited exemptions, between midnight and 6:30 a.m. when the airport is in over-ocean and westerly operations during those hours.

The restriction would make mandatory a current voluntary runway use program. It is being sought to reduce the nighttime noise burden on communities east of LAX and would not be in effect when the airport is in easterly operations, which occurs when winds reach 10 knots or greater from the east.

Pilots of heavily loaded aircraft occasionally request easterly departures when winds are slightly below the 10-knot threshold because the departure runway has a slight downward slope in the easterly direction and pilots want to take advantage of that and take off into the wind.

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Santa Monica, from p. 18

In its motion opposing the federal government's request that the court dismiss the case, the City of Santa Monica wrote: "Since the 1920's Santa Monica has owned – in fee simple – the property in Santa Monica, California that is the subject of this dispute (commonly referred to as "Clover Field" or "SMO")."

"Yet, in 2008, the FAA asserted for the first time that Santa Monica was obligated to operate SMO as an airport forever or *title* to the land on which SMO sits would, inexplicably, revert to the United States even though the United States *never* owned the property. Through this lawsuit, Santa Monica seeks to remove the cloud that the United States placed on the City's title in 2008.

"Defendants' misguided Motion to Dismiss is premised on the fact that the United States released its temporary leasehold interest in the Airport Property in 1948 through an Instrument of Transfer ("IOT") that contained certain restrictions on the Airport Property's use.

"Defendants argue that because the IOT was recorded in 1948 (i.e., more than twelve years ago), the City's claims are time-barred under the Quiet Title Act's ("QTA") statute of limitations, thus precluding this Court from having jurisdiction to hear Santa Monica's claims.

"Defendants' Motion misses the mark; Santa Monica does not dispute that the IOT contains certain restrictions (although Santa Monica does challenge the constitutionality of those restrictions). Rather, Santa Monica's Complaint demonstrates that the restrictions contained in the IOT could not have unilaterally converted the United States' temporary leasehold interest into a fee interest, let alone put Santa Monica on notice of the United States' claim that fee title to the Airport Property would revert to the United States if the City ever ceased using the property for airport purposes.

"The first time Santa Monica received notice of the United States' claim to its title was in 2008, when the FAA took that position in litigation over the City's Aircraft Conformance Program.

"The City's Complaint, filed just five years later (as the City's other federal obligations related to SMO are set to expire), was initiated well-within the QTA's 12-year statute of limitations.

"This Court should not permit Defendants to hold hostage 168 acres of property in Santa Monica that they have never owned based on the unfounded assertion that the City acted too late."

U.S. Department of Justice attorneys called Santa Monica's claim that it did not know about the United States' interest in the Airport Property until 2008, and thus that the QTA statute of limitations began to run that year, "plainly implausible, if not simply posterous."

"The QTA statute of limitations begins to run when there is a reasonable awareness of the United States' interest ... The plain text of the 1948 Instrument provided Plaintiff this reasonable awareness. It explicitly states that, in the event the

City stops running the Airport Property as an airport, "the title, right of possession and all other rights transferred by this instrument to [the City], or any portion thereof, shall at the option of the [federal government] revert to the [Government] sixty (60) days following the date upon which demand to this effect is made in writing[.]"

The case, *City of Santa Monica v. FAA* (Case No. CV13-08046-JFW) was filed in U.S. District Court for the Central District of California on Oct. 31, 2013 (25 ANR 150).

If the case is not dismissed, the court has set a trial date of Nov. 18 and will hold a pre-trial conference on Nov. 7.

Environmental Review

ESTY TELLS HUERTA SHE WILL SUBMIT QUESTION ON CATEX

At the Feb. 5 House Aviation Subcommittee hearing on the Federal Aviation Administration's implementation of the FAA Modernization and Reform Act of 2012, Rep. Elizabeth Esty (D-CT) told Federal Aviation Administrator Michael Huerta that she planned to submit a question to him on the "CatEx" provision of the act.

Esty told the FAA Administrator that her question was too complicated to pose to him during the hearing but that she would submit it to him in writing afterward.

ANR contacted Esty's office to find out what her question regarding the CatEx provision was but has not yet received an answer.

Esty represents the 5th District of Connecticut, which encompasses several counties in the northwestern and central parts of the state and includes the towns of Danbury and Waterbury.

The FAA has interpreted Section 21(c) of the FAA Modernization and Reform Act as providing two separate CatExes: dubbed CatEx1 and CatEx2 by the agency.

CatEx1 – Section 213(c)(1) – requires FAA to consider extraordinary circumstances (such as increased noise levels in noise-sensitive areas or flight changes that are likely to be highly controversial on environmental grounds) in determining whether a PBN procedure qualifies for a CatEx. FAA has already issued guidance on CatEx1 (25 ANR 74).

FAA is still considering how to comply with what it terms CatEx2 – Section 213(c)(2) – and has not yet issued guidance on it. But the agency has included CatEx1 and CatEx2 in its draft Environmental Order 1050.1F in paragraphs 5-6.5q and 5-6.5r.

FAA has interpreted CatEx2 as requiring the agency to give a CatEx – with no consideration of extraordinary circumstances – to PBN procedures that "result in measurable reductions in fuel consumption, carbon dioxide emissions, and noise, on a per flight basis as compared to aircraft operations that follow existing instrument flight rules procedures."

The NextGen Advisory Committee has recommended a

method that FAA can use to comply with CatEx2 (25 ANR74). The agency has not yet said whether it will accept the proposed method.

LAX, from p. 18

The proposed Part 161 restriction is intended to stop pilots of heavily loaded aircraft from making easterly departures over neighborhoods near LAX where they disturb sleep and provoke complaints.

So, the Part 161 cost/benefit analysis must weigh the cost to the aviation industry, shippers, and passengers of barring an estimated 65 takeoffs a year against the benefits to a estimated 8,627 residents east of LAX who potentially would not have their sleep disrupted if the flights were barred.

Although the restriction is expected to affect only 65 operations per year, if approved by FAA, it would be extremely significant because it would be the first restriction on Stage 3 aircraft to be imposed by an airport since passage of the Airport Noise and Capacity Act of 1990 (ANCA).

LAWA originally submitted its Part 161 application to FAA in January 2013. However, in March 2013, FAA told LAWA that its application was incomplete because the primary problem asserted in the application – sleep awakenings that extend beyond the 65 CNEL contour – falls outside the airport noise study area selected by LAWA, which ends at the 65 CNEL contour line (25 ANR 70).

“If LAWA intends to retain its definition of the problem as nighttime sleep awakenings extending to geographic areas beyond the CNEL 65 dB, then LAWA must select a noise contour that encompasses those sleep awakenings as well as the CNEL 65 dB and higher noise contours,” FAA told LAWA.

So, in June 2013, LAWA submitted to FAA what it dubbed the Noise-Induced Awakenings Change (NIAC) contour (25 ANR 94). It is described as an area beyond the traditionally recognized Airport Noise Study Area [65 DNL] that directly applies to changes in sleep awakenings.

The NIAC contour encompasses the outermost boundary of the entire set of population centroids experiencing changed awakenings in 2013 (the year the Part 161 restriction would be imposed) and in 2018 (five years following implementation of the restriction), plus a 3,500-foot buffer at the limits.

Resubmission Still Deficient

But, on Aug. 20, 2013, FAA told LAWA that its resubmitted Part 161 application was still deficient because LAWA has not submitted CNEL contours, in addition to the NIAC contours, for the part of its noise study area that lies beyond the 65 CNEL contour.

Part 161 regulations allow an applicant to select a noise contour beyond the CNEL 65 contour as its airport noise study area and to use a supplemental metric to analyze the problem a proposed restriction is intended to address, FAA explained. However, DNL (CNEL in California) remains the primary metric under Part 161 regulations and CNEL con-

tours must encompass the applicant’s entire selected airport noise study area, FAA said.

In developing the Part 161 regulations, “FAA clearly rejected any options that would permit each airport operator to select the metric(s) and methodology best suited to its own local conditions in lieu of using DNL because this could lead to a confusing array of approaches with significant room for error or non-uniform treatment of airport users and airport neighbors,” the agency told LAWA.

“LAWA’s application remains incomplete as long as it does not expand its CNEL noise contours to cover the airport noise study area it has selected as the basis for its recommended restriction, i.e., the entire sleep awakenings area,” the FAA wrote.

“Alternatively, LAWA could have a complete application with respect to the airport noise study area by retaining the CNEL 65 dB contour as its outer limit, but this would also limit the Part 161 airport noise study area to within the CNEL 65 dB contour and require LAWA to exclude all areas beyond this contour from its Part 161 analysis.”

FAA also told LAWA that it is still seeking additional data “regarding ground tracks and runway use percentages for non-conforming flights under the proposed restriction, as well as the assumed stage length (aircraft weights) of these flights.” The data LAWA provided in its supplemental submission was for the “status quo scenario,” FAA said, but must also be provided for the “proposed restriction scenario.”

Cost/Benefit Analysis

And LAWA’s supplemental submission still does not satisfy FAA’s cost/benefit analysis requirements.

“The estimation of decrease in consumer surplus due to altered aircraft operations is incomplete,” FAA told LAWA.

Consumer surplus is an economic measure of consumer satisfaction, FAA explained. “It is calculated by analyzing the difference between what consumers are willing to pay for a good or service relative to its market price. A consumer surplus occurs when the consumer is willing to pay more for a given product than the current market price.”

LAWA’s Part 161 restriction would stop the current practice of allowing pilots of heavily loaded aircraft, under certain wind conditions, to depart to the east at night over communities, FAA said. LAWA must estimate the change in consumer surplus to not just offloaded passengers who accept compensation voluntarily if these flights are barred, but to all passengers impacted by the delay.

“A complete answer would measure the number of affected flights; the minutes of delay for each affected flight; missed curfews of destination airports; the number of passengers affected; and the methodology used to estimate the loss,” FAA explained.

No airport yet has been able to satisfy FAA’s Part 161 cost/benefit study demands.

If the FAA deems LAWA’s Part 161 application complete, the agency has 150 days to review it.

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PARTNER

NUMBER OF EVENTS AS A VARIABLE IN AIRCRAFT NOISE ANNOYANCE MODELS

The PARTNER research consortium recently placed on its website a report on “The Number-of-Events as a Predictor Variable in Aircraft Noise Annoyance Models.”

Following is the Abstract of the report, which was prepared by Kevin Foertsch and Prof. Patricia Davies of the Purdue University School of Mechanical Engineering:

Aircraft noise may have a number of direct adverse effects on the communities surrounding airports, including annoyance. The annoyance reactions of individuals and communities to aircraft noise are predicted with annoyance models, which are normally functions of predictor variables that describe the noise exposure.

The number of aircraft events that a person is exposed to (the number-of-events), has been hypothesized as a significant contributor to annoyance. However, most models of annoyance to aircraft noise are functions only of the average sound energy of the total noise exposure.

The purpose of this research is to quantify the relative effects of sound level and number-of-events in historical noise survey data sets and to develop a survey simulation tool to help in the design of future surveys so that the collected data will be sufficient to compare the performance of proposed annoyance models.

The models considered here are DNL and those that are a function of sound level and number-of-events. Seven historical data sets were collected and analyzed individually and in combination. Multiple linear regression models were estimated using the annoyance, sound level, and number-of-events variables in the data sets. The contributions of sound level and number-of-events to the prediction of annoyance were compared.

Most regression models could not be distinguished from an equal-energy annoyance model. A general-purpose tool was developed to simulate annoyance surveys around airports. Monte Carlo simulations were performed to evaluate the effectiveness of survey sampling approaches. Annoyance surveys were simulated around three airports in the United States.

The use of stratification, as opposed to simple random sampling, resulted in more robust estimation of annoyance models.

The report can be downloaded at <http://partner.mit.edu/>

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 26, Number 6

February 21, 2014

Minneapolis-St. Paul Int'l

FAA SAYS PARTIAL IMPLEMENTATION OF RNAV DEPARTURES WOULD CAUSE SAFETY RISKS

The Metropolitan Airports Commission (MAC) said Feb. 19 that it received a letter from the Federal Aviation Administration indicating that the agency will not implement Area Navigation (RNAV) departure routes at Minneapolis-St. Paul International Airport (MSP) at this time due to safety concerns.

Following is the MAC's announcement:

The RNAV technology enables aircraft to consistently fly specific, predictable, pre-determined routes, enhancing safety and efficiency while reducing fuel burn and emissions. RNAV is a key part of the federal NextGen program for addressing congestion and improving safety and efficiency in the national airspace.

In September 2012, the FAA proposed a plan to implement RNAV procedures on all runways at MSP. The Noise Oversight Committee (NOC), which advises the MAC on noise issues around MSP, determined that the FAA had satisfied all the criteria the NOC had established for RNAV development, and the FAA plan then went to the MAC board for consideration in November 2012.

(Continued on p. 23)

Santa Monica

FEDERAL JUDGE DISMISSES CITY'S LAWSUIT AGAINST FAA OVER OWNERSHIP OF AIRPORT

On Feb. 13, U.S. District Judge John F. Walter granted a motion from the Department of Justice and Federal Aviation Administration to dismiss the City of Santa Monica's lawsuit seeking to release it from its obligation to operate Santa Monica Municipal Airport as an airport.

"This is a major victory for the airport, and a blow to the California city's latest attack on the airport," the Aircraft Owners and Pilots Association (AOPA) said.

"In its October 2013 suit, the city claimed that when it agreed to the transfer of federal land to the city in 1948 it did not know the United States claimed an interest in the title to the airport property. If the city were to ever close the airport, the government could take back the land.

"The city made several allegations to the court, including that the city owned the airport before leasing it to the federal government and that the city had not been put on notice that the United States claimed an interest in this airport property.

"The judge found that the city had been put on notice of the United States' interest in the airport property, and that the statute of limitations for the city to make the claim expired decades ago. The city also raised various constitutional issues.

(Continued on p. 23)

In This Issue...

RNAV ... FAA will not implement any RNAV departures at MSP International because MAC's approval of only partial implementation of RNAV departures would create "unacceptable safety risks," FAA says. But agency will move forward with approved RNAV arrival procedures on a timeline to be determined - p. 22

Santa Monica ... In a major loss for the City of Santa Monica, a federal judge dismisses the City's lawsuit against FAA, DOJ seeking control of the future of Santa Monica Airport. The FAA has not abandoned its claim to title to the airport, the judge rules - p. 22

Helicopters ... California Congressman Adam Schiff says FAA's long-awaited timeline for implementing voluntary measures to reduce helicopter noise over Los Angeles County "is not good enough." He calls FAA's progress in mitigating helicopter noise "painfully and unacceptably slow" - p. 24

MSP, from p. 22

MAC board members heard from many area residents concerned about potential noise impacts under the proposed RNAV departure routes. Based on those concerns, the MAC board voted to support only partial implementation of the FAA plan, withholding support for RNAV departures off runways 30L and 30R, over the heavily populated areas north and west of MSP. The FAA indicated it would need to study the safety implications of partially implementing the federal RNAV plan for the airport.

The letter received by the MAC today indicates the FAA is concerned that implementing RNAV departures on some runways and not others could create “unacceptable safety risks.” Therefore, the FAA will not implement RNAV departures from any runways at MSP at present.

The FAA will, however, move forward with the approved RNAV arrival procedures on a timeline still to be determined. Currently, arriving aircraft perform a stepped descent, reducing altitude and plateauing a number of times before landing. Under RNAV arrival procedures, aircraft remain at a higher altitude longer and, once they begin descending, continue to do so with the engines in an idle configuration until landing. Staying higher longer with the engines at an idle setting reduces noise impacts and emissions. Arriving aircraft have to line up with runway headings whether or not they use RNAV, so flight paths will not change under an RNAV approach process.

Safety Is Top Priority

Jeff Hamiel, executive director and CEO of the Metropolitan Airports Commission, said that safety must remain the top priority. “While we had initially hoped the FAA could implement RNAV departures in areas to the south and east of the airport where there were significant opportunities to reduce noise impacts, we obviously don’t want them to do so if they believe a partial implementation would be unsafe,” Hamiel said.

The FAA letter provides no timeline for revisiting the issue of RNAV departures at MSP. “If RNAV SIDs [departures] are reconsidered by FAA at any time in the future,” the letter states, “we would welcome the opportunity to work with you and the MSP Noise Oversight Committee on a community outreach plan as outlined in your February 1, 2013 letter.”

That letter from MAC CEO Jeff Hamiel to FAA Airspace Service Director Dennis Roberts recommended that any future effort by the FAA to implement RNAV departures at MSP involve a robust FAA outreach program to affected communities, early coordination with community leaders, investment of adequate resources to address local expectations, and authorization for local air traffic control representatives to lead resource allocation and community outreach efforts.

Santa Monica, from p. 22

These, too, were dismissed as not “ripe” for judicial review.

“The city’s claim was absurd,” said AOPA’s General Counsel Ken Mead, “and the judge simply applied the law.

“However, this doesn’t mean the city will give up. The city continues to strangle the airport while spending millions to try to close it. We’re ready for whatever they bring on.”

City Looking at Its Options

In a statement released by the City of Santa Monica, City Attorney Marsha Moutrie said, “the attorneys representing the City are already looking forward and focusing our energies on the City’s options.”

Moutrie said, “The court’s ruling is being carefully evaluated by the legal team consisting of our outside litigation counsel, Morrison & Forrester, and in-house legal staff. Of course, we are disappointed. But, there is likely much work to come; and the attorneys representing the City are already looking forward and focusing our energies on the City’s options.”

The City explained, “Judge Walter dismissed with prejudice the City’s First Cause of Action to quiet title on the ground that the claim is barred by the statute of limitations. The Second and Third Causes of Action, the “Takings Claims,” were dismissed, without prejudice, as premature because the City had failed to first seek compensation in the Court of Federal Claims. The Fourth and Fifth Causes of Action for violation of the Tenth Amendment and the Due Process Clause were dismissed, without prejudice, as not yet ripe for review,” the City said.

Judge’s Ruling

“The Court concludes that the record unquestionably demonstrates that the City knew, or should have known, that the United States claimed an interest in the Airport Property as early as 1948,” Judge Walter wrote in his ruling.

“The Instrument of Transfer expressly provides that, in the event the airport Property is used “for other than airport purposes without the written consent of the Civil Aeronautics Administrator,” “the title, right of possession and all other rights transferred by this instrument to the [City], or any portion thereof, shall at the option of [the United States] revert to the [United States]”

Regarding the city’s assertion that it did not know the United States claimed an interest in the title to the airport property, Judge Walter noted numerous points throughout history during which the city’s actions “demonstrate the City’s awareness that the United States had a continuing and substantial interest in the Airport Property”.... “Indeed, the City requested on three occasions – in 1952, 1956 and 1984 – that the United States release parcels of land from the restrictions in the 1948 Instrument of Transfer. Moreover, in 1962, in response to a question posed by the City Council about SMO’s future operations, the City Attorney issued a legal opinion which concluded, based in part on the Instrument of Transfer,

that “the City cannot legally, unilaterally, on its own motion, abandon the use of the Santa Monica Municipal Airport as an airport.”

In other claims, the City argued that a 1984 agreement with the FAA allows it to do with the airport whatever it wishes after July 1, 2015, and that in that same agreement the FAA abandoned the property, relinquishing its interest in the title to take back the property if Santa Monica did not continue to operate the airport, AOPA said in its release.

“The 1984 agreement was a result of a settled lawsuit filed by the FAA after the city adopted ordinances to reduce traffic and noise at the airport. Part of the agreement states that, “The City will operate and maintain the Airport as a viable functioning facility without derogation of its role as a general aviation reliever airport as described in Section 2(b)(i) of this Agreement or its capacity in terms of runway length and width, taxiway system, and runway weight bearing strength until July 1, 2015.”

“The judge said that the 1984 agreement does not stipulate whether the city can do as it pleases with the airport. “In other words, the parties failed to arrive at any agreement as to, or even mention, whether the City is obligated to operate SMO as an airport after July 1, 2015 or whether title would revert to the United States if the City ceases to operate SMO as an airport after July 1, 2015.”

“But, he did point out the fallacy in the city’s claim that the FAA abandoned the property with the 1984 agreement. He said the agreement did “not constitute a clear and unequivocal abandonment of the United States interest in the title to the Airport Property.”

AOPA Ready for the Fight

While heralding the victory in this case, AOPA President Mark Baker also cautioned the aviation community that the fight is far from over, saying the City of Santa Monica “appears to be relentless in its pursuit to close the airport.”

“The City will spare no expense – financial or the personal toll on its own residents – to close the airport,” said Baker, “but we will use every resource available to keep Santa Monica open.”

“The City has demonstrated that it will spend millions in legal fees alone to restrict the airport. Just a few years ago, it spent \$1.3 million trying to ban Category C and D jets from operating at the airport.”

AOPA Vice President of Airports Bill Dunn said the City’s general plan calls for a business park at the airport, and that City Council members have said that anyone who thinks Santa Monica will be turned into a park is wrong; it will be a development.

“Adding a business development would only worsen the traffic congestion that plagues Santa Monica residents– and that is a top concern among city residents. AOPA commissioned a third-party survey in 2011 to gauge resident’s concern on various issues in the city. The airport ranked near the bottom of the list of residents’ concerns, with just 2 percent expressing that view. Meanwhile, traffic congestion and

growth and development were at the top of the list. Yet, the city continues to come up with ways to waste money and increase traffic,” AOPA said.

“The city is not representing its citizens,” Baker said. “Surveys have proven the majority of Santa Monica residents support the airport.”

Currently, the city is refusing to extend leases on the airport beyond the July 1, 2015; the date the City believes it can do with the airport property as it pleases, AOPA said.

AOPA said it “continues to work daily on strategies to defend and protect Santa Monica Municipal Airport and to release the stranglehold the City has on the airport. AOPA is working closely with the National Business Aviation Association and others and will be garnering support for the airport.”

“We will not stop fighting for this airport,” Baker said.

Helicopters

FAA TIMELINE FOR VOLUNTARY MEASURES ‘NOT GOOD ENOUGH’

California congressman Adam Schiff (D) said Feb. 11 that the Federal Aviation Administration’s timeline for implementing six voluntary measures to reduce the impact of helicopter noise over Los Angeles County is “not good enough.”

Almost six months after Schiff and other Los Angeles area lawmakers, including Sens. Dianne Feinstein (D) and Barbara Boxer (D), sent a letter asking the FAA for a timeline for its Los Angeles Helicopter Noise Initiative, the agency finally responded to the Los Angeles lawmakers in a Jan. 30 letter from FAA Administrator Michael Huerta.

Huerta’s letter comes on the heels of legislation passed by Congress last month requiring the FAA to act within the year to reduce helicopter noise through voluntary measures, or be forced to put in place regulations to reduce it (26 ANR 6).

Schiff said that Huerta’s letter, “did not produce a timeline for action, and instead of studying the entire Los Angeles basin, designated small study areas – Torrance, Hollywood and the Cahuenga Pass – that are not sufficient to understand the full problem affecting homeowners and businesses.

“Additionally, instead of designing and implementing a helicopter noise complaint reporting system, the FAA is requiring the homeowners, helicopter operators, and other stakeholders to identify a system themselves – something that volunteer members of homeowner and pilot associations do not have the technical expertise to accomplish on their own.

“Finally, the lack of more meaningful progress to date and the indeterminate timeline going forward indicate the FAA is very unlikely to meet its statutory deadline of progress by the end of the year.

“While I appreciate the engagement that the FAA has had with stakeholders in Los Angeles, it’s progress in bringing about relief to residents has been painfully and unacceptably slow,” said Schiff. “By law, the FAA will be required to regulate helicopter noise if they cannot demonstrate the success of

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voluntary measures by the end of the year. The ‘timeline’ just released by the FAA casts great doubt on their ability to do so, and makes it far more likely regulation will be required.”

“The Los Angeles Area Helicopter Noise Coalition has been working diligently with the FAA and helicopter pilots and operators to find ways to reduce helicopter noise across Los Angeles,” said Bob Anderson, President of the Los Angeles Area Helicopter Noise Coalition (LAAHNC), and Richard Root, the coalition’s vice president.

“While the FAA’s letter to congressional leaders states that ‘good progress has been made ...’, the reality is that a number of meetings have been held without much real progress being made. The community has offered many suggestions for tangible solutions to reduce noise, but the FAA and pilots have not embraced these due to cost and other concerns.”

Last year, Schiff and other members of the Los Angeles delegation introduced legislation, the Los Angeles Residential Helicopter Noise Relief Act, and encouraged the FAA to act independently of legislation to reduce helicopter noise in Los Angeles. Following a lengthy study, the FAA released their report on the Los Angeles airspace, urging voluntary measures over a regulatory approach, which many homeowners and lawmakers felt was an insufficient response.

Senator Feinstein and Rep. Schiff successfully included language in the omnibus spending bill, which was signed into law, that would require the FAA to develop regulations related to the impact of helicopter use on the quality of life of L.A. County residents within one year unless the FAA can demonstrate the effectiveness of the six voluntary action items in the helicopter noise report. Efforts to include language in the omnibus were supported by the LAHNC.

Voluntary Measures

The voluntary measures FAA agreed to are to:

- Evaluate and adjust existing helicopter routes above Los Angeles, and make adjustments to such routes if the adjustments would lessen the impacts on residential areas and noise-sensitive landmarks;
- Analyze whether helicopters could safely fly at higher altitudes in certain areas above Los Angeles County;
- Develop and promote best practices for helicopter hovering and electronic news gathering;
- Conduct outreach to helicopter pilots to inform them of voluntary policies and to increase awareness of noise-sensitive areas and events;
- Work with local stakeholders to develop a more comprehensive noise complaint system;
- Continue to participate in collaborative engagement between community representatives and helicopter operators.

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 26, Number 7

March 7, 2014

ACRP

LINK REPORTED BETWEEN AIRPORT NOISE AND STUDENT MATH, READING TEST SCORES

A statistically significant association between airport noise and student math and reading test scores was found in a report issued by the Airport Cooperative Research Program (ACRP).

The report also found associations for ambient noise and total noise on student mathematics and reading test scores, suggesting that noise levels *per se*, as well as from aircraft, might play a role in student achievement.

ACRP Web-only Document 16: Assessing Aircraft Noise Conditions Affecting Student Learning Vol. 1: Final Report and Vol. 2: Appendices was prepared by Wyle Laboratories, Arlington, VA; Statistics and Strategies, Palo Alto, CA; Genesis Consulting Group, Jacksonville, FL; and researchers at the Centre for Psychiatry, Barts and the London School of Medicine, Queen Mary University of London.

Vol. 1 can be downloaded at <http://www.trb.org/ACRP/Blurbs/170328.aspx>

Vol. 2 can be downloaded at <http://www.trb.org/ACRP/Blurbs/170329.aspx>

“This study further contributes to the increasing evidence base which suggests that children exposed to chronic aircraft noise at school have poorer reading ability
(Continued on p. 27)

2015 Budget Request

OBAMA SEEKS \$450 M CUT IN AIP, \$54 M CUT TO NEXT-GEN; INCREASE IN PFC CAP TO \$8

President Obama’s fiscal year 2015 Budget requests \$2.9 billion for grant-in-aid to airports, a decrease of \$450 million from the FY 2014 enacted level.

The budget proposed to focus grants awarded in fiscal 2015 to support smaller commercial and general aviation airports that do not have access to additional sources of revenue or outside capital.

At the same time, the budget proposes to increase the Passenger Facility Charge (PFC) limit from \$4.50 to \$8 for all commercial service airports and eliminates guaranteed Airport Improvement Program (AIP) funding for large hub airports, giving them greater flexibility to generate their own revenue.

“The combination of these changes to the AIP and PFC program will allow airports to effectively transition to a reduced AIP level without hindering their ability to meet existing capital needs of the national airport system,” the White House explained.

Airport noise mitigation programs can be funded by both AIP grants and PFC revenue. So, it is unclear at this point what the loss of guaranteed AIP funding for large hub airports will mean for airport noise mitigation projects.

(Continued on p. 27)

In This Issue...

ACRP ... A statistically significant link between exposure to aircraft noise and student math and reading test scores is reported in a new ACRP report prepared by Wyle Labs, researchers at the London School of Medicine, and others. It also found that students in sound-insulated schools had better test scores than students in schools not insulated - p. 26

2015 Budget Request ...

President Obama seeks a \$450 million cut in federal grant-in-aid to airports; a \$54 million cut to the NextGen program; and an increase in the PFC cap from \$4.50 to \$8 - p. 26

Helicopters ... FAA issues a final rule requiring new helicopter type designs to meet Stage 3 noise certification standards. All currently-manufactured helicopters in the U.S. can already meet the standard, which provides FAA with an avenue to block efforts to restrict helicopter operations - p. 28

ACRP, from p. 26

and school performance on achievement tests, than children who are not exposed to aircraft noise,” the Executive Summary of the report notes.

“Overall,” it said, “evidence for the effects of noise on children’s cognition is strengthening and there is increasing synthesis between epidemiological studies, with over twenty studies having shown detrimental effects of aircraft and road noise on children’s reading

“The study is one of the first studies to quantify the potential impact of sound insulation on children’s learning achievement for aircraft noise exposure. From a sample of 119 elementary schools it was shown that insulated schools have better test scores than those with no insulation, which may be an indication that insulation could contribute to improved scores by returning test scores to what they would have been with no aircraft noise.

“Finally, the study showed that the effect of noise was greater for non-disadvantaged students than for disadvantaged students, although the analysis process does not make it possible to provide a rationale for this result. This issue may be addressed in the upcoming ACRP Project 02-47 Assessing Aircraft Noise Conditions Affecting Student Learning - Case Studies.”

Focus of Future Research

The report made several recommendation for future research.

To understand the causal pathways between noise exposure and cognition and design preventive interventions, there is a need to study these associations longitudinally; that is over time, the researchers said.

“Few longitudinal studies have examined the effects of persistent exposure throughout the child’s education: studies of the long-term consequences of noise exposure during school for later cognitive development and educational outcomes have not yet been conducted and remain of prime policy importance ... Longitudinal studies would also need to address the complexities of exposure assessment where children are placed in different classrooms for differing periods throughout their school life.”

The researchers also recommended that the effects of aircraft noise conditions on state standardized test scores for elementary school students identified in the current study should be supplemented by case study research aimed at answering the following questions:

- What immediate, observable changes occur when a class is exposed to aircraft noise? How, if at all, do these changes vary based on the 1) nature of the teaching style, 2) lesson content, 3) disability status of the students, and 4) ESL [English as a second language] status of the students?
- How do students who are regularly exposed to aircraft noise at school differ from similar students who are not exposed to aircraft noise at school with respect to inhibitory factors including distraction, learned helplessness, memory

difficulties, hearing and auditory processing difficulties, stress, health difficulties, noise annoyance, and absenteeism?

- How do teachers who are regularly exposed to aircraft noise at school differ from teachers who are not exposed to aircraft noise at school with respect to inhibitory factors including stress, health difficulties, noise annoyance, absenteeism, and vocal strain?
- To what extent, if any, is the effect of aircraft noise on students and teachers at school influenced by their exposure to noise at home?
- According to students and teachers, how, if at all, does aircraft noise influence teaching and learning?

Such case study research will inform future large-scale and longitudinal research to determine factors that mediate and moderate the effect of aircraft noise on student learning, a research priority that has been identified in previous literature.

Classroom acoustics also need to be studied in the future in order to determine what can be done to reduce noise inducted learning impairments.

Before-and-after studies could also be carried out at the individual level, the researchers said. “Assessing exposure, cognitive performance and socioeconomic status at the individual level could more easily incorporate internal classroom acoustical information but such studies are likely to be on a smaller scale. Opportunities to conduct naturally occurring before-and-after experiments, where schools are already being insulated should be taken advantage of.”

The report also noted that studies have yet to examine in detail how noise exposure interacts with other environmental stressors, such as air pollution.

Budget, from p. 26**NextGen FundingCut**

The budget request also seeks \$774 million for NextGen, a decrease of \$54 million below FY 2014 enacted levels.

Funding for specific programs includes:

- Performance Based Navigation: \$26 million is requested to fund the consolidation of databases used to improve and develop new arrival and departure procedures at airports and to optimize the use of airspace and procedures in the metroplex areas.
- Automatic Dependent Surveillance Broadcast: \$247 million is requested for the continued implementation of satellite-based surveillance capabilities. This will provide a more complete picture of airspace conditions and more accurate position data.
- Air-to-Ground Data Communications: \$147 million is requested for data communications, to deploy a text-based data communication system.
- System-Wide Information Management (SWIM): \$60 million is requested to continue the implementation of an information management and data sharing system for improved data sharing for FAA’s internal and external stake-

holders. This program will provide policies and standards to support data management and control its access and use.

The budget requests \$157 million to support FAA research, engineering and development, including alternative fuel development for general aviation aircraft; NextGen environmental research; and unmanned aircraft system research.

AIA Concerned about NextGen

The Aerospace Industries Association said the \$65 million cut to the NextGen program's funding from the current fiscal year "poses new obstacles to meeting program milestones in the next several years, leading up to the 2018 mid-term objectives outlined by FAA leadership."

"The economic benefits of the NextGen program far outweigh the nominal budget gains that would be realized if the proposed cuts are enacted," AIA said.

"Our industry urges a renewed commitment to NextGen as Congress takes up the President's budget request. The fiscal year 2015 NextGen request represents a cut of almost 20 percent from the amount proposed just two years ago."

ACI-NA Disappointed with Cut to AIP

"We're pleased to see that President Obama's budget priorities for transportation include important airport priorities like a long-overdue increase in the Passenger Facility Charge (PFC) for airports and a critical increase in staffing at Customs and Border Protection (CBP) facilities," said ACI-NA President and CEO Kevin M. Burke.

"Allowing airports the flexibility to implement a modest increase in the maximum PFCs they would be able to charge is an important first step in getting investment in our nation's airport infrastructure back on track with the rest of the world.

"Although the White House's FY 2015 budget proposal calls for increasing the PFC to \$8 per enplanement, it also would cut funding for the Airport Improvement Program (AIP), which is a key source of capital improvement and infrastructure funding for smaller regional airports.

"We're disappointed that this proposed increase in the PFC appears to be at the expense of AIP," continued Burke. "The cut in AIP's overall funding ultimately would mean that the smaller airports that depend on this funding for necessary capital improvement projects will have less support."

ACI-NA's most recent Capital Needs Study found that U.S. airports have more than \$71 billion in total projects considered essential for completion by 2017, and the number of domestic passengers alone is expected to surpass 1 billion enplanements in the next 15 years.

"ACI-NA looks forward to working with both the White House and Congress on enacting an increase in the PFC for all airports that rely on this source of funding, while also safeguarding AIP support levels. Pitting large hubs against smaller, regional airports for limited resources is not a productive long-term solution for ensuring the global competitiveness of American airports."

AAAE Wants \$8.50 PFC Cap

The American Association of Airport Executives (AAAE) President and CEO Todd Hauptli expressed strong support for increasing the federal cap on locally imposed airport user fees as proposed in the President's budget and called on Congress to adjust the cap to \$8.50 to help airports address the growing gap between infrastructure needs and available resources.

"With federal investment in our nation's airport system declining and facing further constraints, airports desperately need additional tools locally to meet current requirements and to prepare for future demand," Hauptli said.

Helicopters

FAA ISSUES STAGE 3 HELICOPTER NOISE CERTIFICATION STANDARDS

On March 4, the Federal Aviation Administration issued a final rule requiring new helicopter type designs to meet Stage 3 noise standards.

The rule will have little impact on helicopter noise levels but does provide FAA with an efficient avenue to block looming efforts to restrict helicopter operations over Los Angeles and Long Island.

All current production helicopters in the U.S. can already meet FAA's new Stage 3 noise standards, which are identical to noise certification standards issued by the International Civil Aviation Organization over a decade ago in 2002. And FAA's new rule does not require currently-flying Stage 1 and 2 helicopters to be retrofitted to meet the new Stage 3 standards.

But the new rule does give helicopter manufactures the option to re-certificate their Stage 1 and 2 helicopters as Stage 3 aircraft, thereby giving FAA the means it needs to block attempts to restrict helicopter operations.

Under FAA's Part 161 Regulations on Notice and Approval of Airport Noise and Access Restrictions, proposed restrictions on Stage 3 aircraft operations cannot be implemented without FAA approval and a cost/benefit analysis.

The Part 161 regulations require notice of proposed restrictions on Stage 1 and 2 aircraft and opportunity for public comment but not FAA approval.

So, when faced with a proposed restriction, helicopter operators can now ask manufacturers to re-certificate their Stage 1 or Stage 2 helicopter model as a Stage 3 aircraft, making the proposed restriction subject to FAA approval once the re-certification is approved by agency.

And then it's game over for whoever is seeking to impose the helicopter restriction because, as one observer dryly noted, there is "zero probability" FAA will approve it.

Bell Helicopter Communications Manager Brian Bianco told ANR, "We have no plans at this time to recertify any aircraft to Stage 3, although we may reconsider doing so on a case-by-case situation in the future depending on either cus-

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tomers demand or changes in FAA or other governing entity noise requirements.”

Issuance of the FAA Stage 3 noise rule follows on the heels of California law makers’ attachment of language to the Omnibus spending bill passed by Congress in January that requires FAA to initiate regulations addressing helicopter noise and safety issues above Los Angeles within one year, unless the agency can demonstrate that the six voluntary measures it committed to take in May 2013 have proven to be effective (26 ANR 6).

The FAA has been reluctant to impose any operational restrictions on helicopters because of the complexity of Los Angeles airspace but has been concerned about increasing community pressure to do so. The new Stage 3 rule effectively prevents local efforts to address helicopter noise, according to Peter Kirsch from the law firm of Kaplan Kirsch & Rockwell. Whether the new rule increases or decreases pressure on the FAA remains to be seen, Kirsch said.

Issuance of FAA’s final rule also coincides with the Town of East Hampton’s ongoing effort to restrict helicopter operations at East Hampton Airport on Long Island, which is moving forward.

The Town is assessing its options in light of the expiration of its grant obligations (and therefore the applicability of Part 161) at the end of this year. If it renews its grant obligations, the Town will thereby remain subject to Part 161. The new helicopter rule would make it enormously difficult for the Town both to remain grant obligated and to impose local restrictions on helicopters.

FAA’s new rule also comes as the Aug. 6, 2014, sunset date nears for a rule the agency was strongly pressured to issue in July 2012 by NY Sen. Charles Schumer (D-NY), which made mandatory an existing voluntary off-shore helicopter route designed to reduce noise impact on communities on the North Shore of Long Island (24 ANR 74).

FAA said it would sunset the rule “in the event the agency concludes that the rule does not reduce or alleviate noise concerns or is otherwise unjustified.”

The so-called North Shore Helicopter Route off Long Island was designed to address a noise problem caused by wealthy executives being ferried by helicopters from Manhattan to their vacation homes on Long Island during weekend shoulder hours in the summer.

FAA’s new Stage 3 helicopter noise standards, which become effective on May 5, are 3 EPNdB more stringent than Stage 2 standards for takeoff; 4 EPNdB more stringent than Stage 2 standards for flyover; and 1 EPNdB more stringent than Stage 2 standards on approach.

AIRPORT NOISE REPORT

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Published 44 times a year at 43978 Urbancrest Ct., Ashburn, Va. 20147; Phone: (703) 729-4867; FAX: (703) 729-4528.
e-mail: editor@airportnoisereport.com; Price \$850.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 26, Number 8

March 14, 2014

Gatwick Airport

AIRPORT OFFERS TO PAY \$1,665 EACH YEAR TOWARD LOCAL TAX IF NEW RUNWAY ADDED

In their bid to beat out Heathrow Airport as the site for additional runway capacity in the UK, Gatwick Airport officials on March 10 pledged to pay £1000 (\$1,665) annually toward a local Council Tax to all households in the airport's 57 Leq contour, if and when a second runway is added.

The airport estimates that as many as 4,100 households could qualify for the annual monetary compensation, which would be equivalent to the lowest level (Band A) Council Tax. That tax is akin to a local property tax and increases with the Consumer Price Index.

The monetary compensation would only apply to existing housing stock within the 57 dB(A) Leq contour, the point at which significant community annoyance to aircraft noise begins under UK aviation policy. Monetary compensation would not apply to those who move into the contour after Gatwick Airport applies for permission to construct a new runway or to new housing built within the contour.

The monetary compensation also would be in addition to any "statutory compensation and blight schemes we would implement" if Gatwick is selected as the
(Continued on p. 31)

Chicago O'Hare Int'l

CHICAGO RESIDENTS APPEAL PROPERTY TAX; SAY O'HARE NOISE REDUCED PROPERTY VALUE

Several residents of northwest Chicago, whose property has been newly impacted by noise from the realignment of runway operations at O'Hare International Airport but are not eligible for sound insulation, have appealed their property taxes arguing that aircraft noise has reduced their property value.

They are members of the group Fair Allocation in Runways (FAiR), which formed last fall after the opening of a new runway at O'Hare and the realignment of all runway operations to an east-west direction. That realignment moved aircraft noise over portions of northwest Chicago and its suburbs.

"We are still considering the tax protest as one of our strategies," Jac Charlier, one of the leaders of FAiR, told ANR, adding that a decision on whether to seek a mass protest of property values might be made in a month or two.

It may hinge on whether Chicago Mayor Rahm Emanuel finally responds to two attempts by FAiR (with three letters delivered on each attempt) asking the mayor to meet with his constituents to discuss the noise issue.

The fact the mayor has not responded to their letters angers and frustrates mem-

(Continued on p. 33)

In This Issue...

Monetary Compensation ...

The idea of compensating residents near airports monetarily for airport noise impact arises on both sides of the Atlantic this month.

... Gatwick Airport in the UK pledges to pay the lowest level of a local property tax to residents in the 57 dB(A) Leq contour if a new runway is added - p. 30

... Chicago residents begin appealing their property tax bills on the ground that aircraft noise impact from a new runway and major runway realignment at O'Hare has devalued their home value - p. 30

NASA ... Shape-changing flap arrives at Dryden Flight Research Center for flight testing - p. 32

Massport ... Airport authority renews, expands its contract with Exelis to deploy comprehensive package of environmental compliance and other tools at Boston Logan International - p. 32

Gatwick, from p. 30

site for a new runway, the airport said.

Brendan Sewell from the Gatwick Conservation Campaign, which represents communities around the airport, told a local radio station that the monetary compensation is "a good thing but it is comparatively small. It only affects people nearest to the airport and we all know that flight paths from a new runway would affect thousands and thousands of people.

"The payment is very small compared to the loss of house values if you are going to have a new flight path over you."

Gatwick Airport is located 28 miles south of London and is the busiest single-runway airport in the world.

An Airport Commission appointed by the UK Government is in the process of determining where to add additional runway capacity in the UK and last December issued a short list that included three options: new runways at Heathrow or Gatwick or an extension of the northern runway at Heathrow.

The commission is concerned about the environmental impact on communities of additional runway capacity.

Monetary Compensation is Cornerstone

Gatwick Airport officials said their offer of monetary compensation to those in the high noise contour – which appears to be unprecedented any where in the world – “represents the next stage of Gatwick’s industry-leading approach to noise management at the airport (Minimize, Mitigate, Compensate). It underlines the importance that the airport attaches to addressing environmental issues and acting as a responsible neighbor.”

“Expansion at Gatwick would, without doubt, deliver many upsides for our local community in terms of jobs and investment. But we must also recognize the negative noise impacts on local people from more flights,” said Stewart Wingate, CEO of Gatwick Airport. “I believe we must do more to help those that would be affected.”

“How we best compensate communities affected by major infrastructure projects is an issue facing a growing number of sectors – from aviation to energy. Our proposal would see the people most affected by expansion at Gatwick receiving monetary compensation.

“Environmental issues are at the center of the debate about runway capacity in the South East [of the UK] and noise reduction, mitigation, and compensation are therefore at the heart of our expansion plans. This scheme will be a cornerstone of our planned package of measures for local residents.”

Gatwick officials said their airport’s location to the south of London means the potential impact on people is at a much lower level than at Heathrow. According to the UK Civil Aviation Authority, 3,650 people living in 1,600 homes around Gatwick are within the airport’s 57 dB(A) Leq today.

At Heathrow, on the same basis, almost 240,000 people living in 100,000 homes are impacted by aircraft noise – more than the total number of people impacted by all other

major Western European airports combined, according to Gatwick officials.

“Gatwick has long recognized that people who live near airports have concerns about noise and takes its obligations to the environment seriously. The airport is at the forefront of industry noise management initiatives, and its ongoing noise reduction scheme has already set new standards in protecting local communities against noise pollution,” airport officials said. For example, they noted:

- Last year Gatwick became the first – and so far the only - UK airport to trial, and get permission to implement, Precision Navigation which allows aircraft to fly on much narrower flight paths rather than in wide swaths enabling aircraft to fly over areas with the least amount of people living under its flight path;

- Gatwick has also recently become the first UK airport to fully consult on modernizing its airspace, which it believes could potentially reduce noise annoyance for over 65 percent of households currently affected; and-

- Earlier this year Gatwick announced plans to roll-out one of the largest and most innovative sound insulation schemes of any airport in the UK and across the rest of Europe, offering hundreds more local homes up to £3,000 (\$4,981) towards double glazing and loft insulation. Over 1,000 more homes (40 percent more) will be protected from noise than were covered with the old scheme.

Gatwick’s sound insulation program will be expanded from the 66 Leq contour to the 60 Leq contour line and will include homes 15 km along the flight paths to the east and west of the airport.

“Addressing the impact of noise on local communities will be a critical issue in winning local support and for the Airports Commission’s assessment of its short-listed options. How scheme promoters address noise reduction, mitigation and compensation will be a primary focus of public debate on the benefits and impacts of a new runway being built in London and the South East,” Gatwick officials said.

Broad Support for Noise Ombudsman

Meanwhile, advocates and opponents of the expansion of Heathrow Airport have formed an unlikely partnership in support of the idea of establishing an independent noise ombudsman to regulate noise at UK airports.

Establishing a noise ombudsman would require legislation by Parliament and no one has yet defined the exact role the ombudsman would play and powers the position would have. But the fact that both supporters and opponents of the expansion of Heathrow have agreed on the idea is being viewed as a breakthrough in the political logjam over the future of Heathrow.

The business group London First proposed the creation of a noise ombudsman last fall and the idea has picked up support from the aviation group Let Britain Fly, the community group Heathrow Association for the Control of Aircraft Noise (HACAN), members of Parliament, including the chairman of the Energy and Climate Change Select Committee, and the

aviation commission that will determine where new runway capacity will be added.

In a joint letter to the *Guardian* newspaper, supporters said an independent noise ombudsman “could have a fundamental role in further establishing trust and confidence, thus bringing about a fair and reasonable balance between demand for flights and noise control.”

They also stressed, “The time has come to adopt a fresh approach, to restore trust and give [those who live near airports] the confidence that their legitimate grievances are being addressed.”

Support for the noise ombudsman was reiterated at a first-ever aircraft noise summit held March 11 at London City Hall and organized by Let Britain Fly campaign funded by the airlines and the community group HACAN.

Among the speakers at the summit were the aviation adviser to the Mayor of London, HACAN Chair John Stewart, the Chief Executive of Gatwick Airport Stewart Wingate, and a representative of the Airports Commission.

Gavin Hayes, director of Let Britain Fly, said, “It’s vitally important to do everything possible to enhance the quality of life of all of those who live around Britain’s airports. This is a golden opportunity to ensure that aircraft noise is managed more effectively, progressively reducing it and the number of people it affects.”

HACAN’s John Stewart said the airport noise summit “was the first time that organizations from all points of the spectrum in the debate on aircraft noise have cooperated in this way to find solutions. That debate has for many years been challenging, complex and, regrettably, fraught. We believe that the time has come for a fresh start to efforts to break the deadlock.”

NASA

SHAPE-CHANGING FLAP ARRIVES AT DRYDEN FOR FLIGHT TESTING

[Following is a Feb. 24 news release by Peter Merlin of the NASA’s Dryden Flight Research Center.]

A milestone for the Adaptive Compliant Trailing Edge (ACTE) project at NASA’s Dryden Flight Research Center occurred in mid-February with the delivery of two revolutionary experimental flaps designed and built by FlexSys, Inc., of Ann Arbor, Mich., for installation on Dryden’s Gulfstream G-III Aerodynamics Research Test Bed aircraft.

Researchers are preparing to replace the airplane’s conventional 19-foot-long aluminum flaps with advanced, shapechanging assemblies that form continuous bendable surfaces.

The new flexible flaps arrived at Dryden by truck on Feb. 12 and were immediately unpacked in preparation for ground vibration testing in NASA Dryden’s Flight Loads Laboratory, followed by fit checks and eventual installation.

Technicians have begun scanning the G-III with a special laser system to create a computer-generated 3-D model of the airplane.

The flap assemblies will also be scanned so that project engineers can conduct virtual fit checks before actually installing the new flaps. This will reduce the risk of damaging either the airplane or its new control surfaces.

The ACTE experimental flight research project is a joint effort between NASA and the U.S. Air Force Research Laboratory to advance compliant structure technology for use in aircraft to significantly reduce drag, wing weight, and aircraft noise.

The effort is part of NASA’s Environmentally Responsible Aviation (ERA) project that explores and documents the feasibility, benefits and technical risk of vehicle concepts and enabling technologies to reduce aviation’s impact on the environment.

Boston Logan Int’l

MASSPORT RENEWS, EXPANDS CONTRACT WITH EXELIS

The Massachusetts Port Authority (Massport) has renewed and expanded its contract with Exelis to deploy a comprehensive package of situational awareness, decision-support, operations management and environmental compliance solutions.

Under this contract, Exelis will deliver the Symphony® suite of integrated applications to Boston Logan International Airport and Laurence G. Hanscom Field Airport. Hanscom is the largest general aviation airport in New England.

Symphony enables Air Navigation Service Providers, airports and airlines to proactively manage en route, terminal area, and surface operations, enhancing overall safety and efficiency.

Procured solutions include Exelis Vehicle Movement Area Transmitters for airport ground vehicle surveillance, as well as Symphony® MobileVue™ for displaying aircraft and ground vehicle tracking data on portable devices such as smartphones and tablets.

Massport will continue its use of Symphony OpsVue™ for access to live gate-to-gate flight status information and Symphony EnvironmentalVue™ for enabling noise and operations monitoring.

The Massport contract also includes the deployment of Symphony PublicVue™, an easy-to-use portal for an improved community information exchange.

Symphony PublicVue™ provides visualizations and analytical flight-tracking capabilities to the public. This Web-based application allows the public to see aircraft flight-tracking data and submit feedback and noise complaints for improved community relations. Users can also define their location with a smartphone or tablet and show the relative position of the aircraft to that location.

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“The deployment of the Symphony suite will provide Massport with a comprehensive airport operations management system on a single Web-based platform,” said Ted Carniol, general manager of commercial aviation solutions for Exelis.

“Our data and applications will deliver to Massport a critical network of information to improve overall airport resource coordination, safety, system throughput and environmental compliance.”

O’Hare, from p. 30

bers of the organization, which claims to be growing rapidly.

Charlier said six letters have been sent to the mayor from FAiR, “three letters each and every time we made a request (one via regular mail, one hand-delivered to his office by me, and one delivered by Chicago Alderman Mary O’Connor).”

“The FAIR Coalition is pro-O’Hare and pro-community,” Chalier told Mayor Emanuel in a Feb. 11 letter. “This means we understand the economic engine that is our valuable airport neighbor. What we want is a real say in when and where those engines come over our neighborhoods. The changes, foisted upon our communities without substantive community input, as well as the potential negative changes yet to come with future runways, demands that citizens have a real seat at the decision making table.”

Mayor Emanuel promised that he would support noise abatement for neighborhoods hit by noise from the new \$1.28 billion fourth parallel runway that opened at O’Hare on Oct. 17, 2013. The mayor said he would “make sure the residents around the airport get the resources and support they need for noise abatement.”

However, when Schiller Park, IL, Mayor Barbara Piltaver told a recent meeting of the O’Hare Noise Compatibility Commission (ONCC) that insulated windows and doors installed 10 to 15 years ago in her community are now “falling apart,” Chicago Department of Aviation officials told her that re-insulating homes was “beyond our means,” the *Chicago Sun-Times* reported March 11.

ONCC manages school and residential sound insulation programs in communities near O’Hare International. The sound insulation programs are funded by the City of Chicago.

FAiR members at the ONCC meeting asked the organization to resume publishing a list high-noise events picked up by O’Hare noise monitors that they could use to bolster their tax appeals.

A “very desirable swath of homes” on the Northwest side of Chicago have been impacted by a new flight runway pattern launched in October yet are not eligible for O’Hare sound insulation, she told ONCC, the *Sun-Times* reported. The homes fall outside the 65 DNL contour on the current airport noise exposure map.

AIRPORT NOISE REPORT

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