

December 30, 2020

The Honorable John Kerry  
[REDACTED]

Dear Mister Secretary:

**On behalf of grassroots noise and environmental groups in California, Illinois, Maryland, Massachusetts, New York, Oregon, Washington, and some that are national, would you consider asking President-Elect Biden to restore funding for the Environmental Protection Agency's (EPA) Office of Noise Abatement and Control (ONAC) in his FY22 President's Budget?**

Below is a letter to President-Elect Biden about our proposal.

Reestablishing ONAC has been proposed before in both the Senate and House, most recently in 2019 by U.S. Representative Grace Meng and in 2018 by U.S. Senate Minority Leader Charles E. Schumer and U.S. Senator Kirsten Gillibrand, all of New York. Our initiative is a follow-on to these bills, and the language we used for the proposed ONAC responsibilities is based on them.

Of course, we would welcome your input and feedback on the proposal to reestablish ONAC and this effort.

Our colleagues, [REDACTED], will be in touch with you shortly to discuss.

Sincerely,

Cindy L. Christiansen, PhD  
[REDACTED]

A Founding member of: Aviation-Impacted Communities Alliance (national) and  
BOS Fair Skies, MA

**Along with:**

Darlene Yaplee, Aviation-Impacted Communities Alliance (national); Palo Alto Citizens, Northern CA

Anne Hollander, Aviation-Impacted Communities Alliance (national); Montgomery County Quiet Skies Coalition, MD

Maryann Aberg, Logan Aircraft Noise Working Group, MA

Suzanne Knight, BOS Fair Skies, MA

Anastacia Salcedo, Logan Aircraft Noise Working Group, MA

Cc: [REDACTED] and the Honorables Rep. Stephen F. Lynch, Sen. Edward Markey, Director Nominee of the Office of Management and Budget Neera Tanden, Sen. Elizabeth Warren

## **Restore \$35M in Funding to the Environmental Protection Agency's Office of Noise Abatement and Control**

*To address the needs of hundreds of millions<sup>1</sup> of Americans suffering from noise that jeopardizes their health and welfare, the Biden/Harris administration should propose \$35M<sup>2</sup> to restore funding for the Environmental Protection Agency's (EPA) Office of Noise Abatement and Control (ONAC), unfunded since 1982.*

December 30, 2020

The Honorable Joseph R. Biden

Dear Mister President-Elect:

**We are writing to request that you reestablish the Environmental Protection Agency's (EPA) Office of Noise Abatement and Control (ONAC) by providing \$35 million in funding for it in the FY22 President's Budget.** Since 1982, when the Reagan administration defunded ONAC, no federal agency has defended Americans against the ever-increasing onslaught of noise in their daily lives. Yet the health and well-being of hundreds of millions of residents—including vulnerable groups such as children, environmental justice populations, elders, and the disabled—are compromised by noise from aviation, vehicular traffic, machinery, and home equipment. This issue is especially urgent when noise control and abatement involves setting and enforcing limits for large federal agencies with close ties to the industries they regulate.

One egregious example is the Federal Aviation Administration's (FAA) NextGen program, which consolidated previously dispersed air traffic into narrow corridors arriving and departing at airports and metroplexes around the country using Performance Based Navigation (PBN). Since 2010, millions of Americans' homes

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<sup>1</sup> In 1982, the last year the EPA did such an analysis, over 100 million people were found to have suffered from the harmful effects of traffic noise alone. See <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3915267/>. That number undoubtedly increases when all other types of noise pollution are included and with the overall increase in environmental noise during the ensuing four decades.

<sup>2</sup> This is equivalent to ONAC's FY82 funding level in 2020 dollars and supports roughly 90 FTEs.

have been barraged by noise and particulate pollution from overhead flights that continue both day and night. When they protest, however, their distress is ignored.

Lacking independent oversight, the FAA has shifted the aviation noise burden of entire metropolitan areas to small slices of the population, subjecting them to unprecedented and dangerous increases in noise events. By hewing to the letter, but not the intent, of the National Environmental Policy Act (NEPA), the FAA has sidestepped legitimate environmental and health concerns and discounted objections by the public. For example:

- Although environmental assessments were conducted for most PBN flight paths nationwide—some garnering thousands of letters in opposition, all returned a “finding of no significant impact” (FONSI).
- By relying on an outdated noise metric from the early 1970s (a day-night noise metric (DNL) with a threshold for significance of 65 decibels), the FAA is able to exclude from consideration all noise under NextGen concentrated flight paths, even though those underneath may experience hundreds of flights per day.
- Airport noise-complaint systems are cumbersome and time-consuming, requiring a separate complaint for each noise event, even when these number in the hundreds each day. Yet the FAA and its airport partners refuse to admit any other metric of public distress, refuse to consider batch complaints, and have recently limited consideration of complaints to one per household per topic.
- While the FAA’s responsibilities include “developing and carrying out programs to control aircraft noise and other environmental effects of civil aviation,” it has failed to do so, suggesting that the public needs an independent watchdog to protect it from these harms, which have increased steadily over time. With the impending introduction of commercial drones and air taxis as well as the return of supersonic aircraft, these concerns will only become more acute.

If funded, the reestablished ONAC responsibilities should be:<sup>3</sup>

- (1) To promote the development of effective State and local noise control programs by providing States with technical assistance and grants to develop the programs, including the purchase of equipment for local communities and the creation of their own systems for collating, analyzing, and reporting on local residents' noise complaints.
- (2) To carry out a national noise control research program to assess the impacts of noise from varied noise sources on mental and physical health. As part of this program, (a) Study the effects of periods of continuous aviation-related noise events both somewhat and significantly under the FAA's current 65 DNL threshold, and (b) Set noise emissions standards for the aviation industry, focusing on the impact of flights on children, environmental justice communities, those living close to airports, and those living under NextGen concentrated flight paths—the latter is an emerging public health issue that has never before been studied;
- (3) To carry out a national noise environmental assessment program to identify trends in noise exposure and response, ambient levels, and compliance data and to determine the effectiveness of noise abatement actions, including actions for areas around major transportation facilities (such as highways, railroad facilities, and airports). As part of this program, develop and promulgate alternate metrics (e.g., the number of aviation noise events over X dB) for determining the impact of repetitive, lower-level aviation noise events.
- (4) To develop and disseminate information and educational materials to the public on the mental and physical effects of noise and the most effective means for noise control through the use of materials for school curricula, volunteer organizations, radio and television programs, publications, and other means.
- (5) To develop educational and training materials and programs, including national and regional workshops, to support State and local noise abatement and control programs.

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<sup>3</sup> The proposed ONAC responsibilities are from the 2019 bill sponsored by U.S. Representative Grace Meng and the 2018 bill sponsored by U.S. Senate Minority Leader Charles E. Schumer and U.S. Senator Kirsten Gillibrand, all of New York. A few specific aviation-related responsibilities have been added by our groups.

- (6) To establish regional technical assistance centers which use the capabilities of university and private organizations to assist State and local noise control programs.
- (7) To undertake an assessment of the effectiveness of the Noise Control Act of 1972.

Sincerely,

Reva Fabrikant, Save Our Skies East Bay, Northern CA

Darlene Yaplee, Aviation-Impacted Communities Alliance (national); Palo Alto Citizens, Northern CA

Kimberly Turner, Studio City For Quiet Skies, Southern CA

Suellen Wagner, Studio City For Quiet Skies, Southern CA

John Matthew Kane, Fair Allocation in Runways, IL

Anne Hollander, Aviation-Impacted Communities Alliance (national);  
Montgomery County Quiet Skies Coalition, MD

Maryann Aberg, Logan Aircraft Noise Working Group, MA

Cindy L. Christiansen, PhD, Aviation-Impacted Communities Alliance (national);  
BOS Fair Skies, MA

Suzanne Knight, BOS Fair Skies, MA

Chris Marchi, Air Inc., MA

David M. McCoy 'Groton Ayer Buzz', MA

Gail Miller, Air Inc., MA

Anastacia Salcedo, Logan Aircraft Noise Working Group, MA

Elaine Miller, Plane Sense LI, NY

Jeff Lewis, aiREFORM (national), OR

Sheila Brush, Quiet Skies Puget Sound, WA

Cc: The Honorable Sen. Kirsten Gillibrand, Rep. Grace Meng, Sen. Charles Schumer