

Airport Noise Report



A weekly update on litigation, regulations, and technological developments

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FAA Noise Policy Review

QSC ASKS FAA TO FORM ADV. COMMITTEE OF COMMUNITY GROUPS WITHIN 30 DAYS

The Congressional Quiet Skies Caucus (QSC) has responded to pleas for help from grassroots community organizations who have been excluded from the group of ‘key external stakeholders’ FAA is using to aid the agency’s review of its out-dated aviation noise policy.

In a Dec. 1 letter, some 21 members of the Caucus – including its Co-Chairs Rep. Stephen Lynch (D-MA) and D.C. Member of Congress Eleanor Holmes Norton (D) – asked FAA Acting Administrator Billy Nolen to do the following:

- **Establish within 30 days an aviation noise policy advisory committee comprised of members of aviation noise impacted community groups.**

The QSC wants this new advisory committee “to serve as a national committee commensurate to other ‘key external stakeholders’ that are part of FAA’s Noise Policy Review.” The creation of this committee, the QSC told Nolan, “will best represent the realities of the impact of airport noise by having those affected be

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able to voice their concerns directly to the FAA.”

- **The QSC also wants FAA to answer questions posed by the Aviation-Impacted Communities Alliance** regarding whether the agency is meeting the high standard set by former FAA Administrator Steve Dickson for the conduct of the agency’s aviation noise policy review and on the status of the Interagency Agreement (IAA) FAA entered into with the Federal Mediation and Conciliation Service (FMCS) for help conducting the review.

In a May 10, 2021, letter, then-FAA Administrator Dickson promised the Quiet Skies Caucus that FAA was “designing an inclusive and participatory policy review framework and process that prioritizes input from substantially affected stakeholders, including local communities” and that the FMCS “will also facilitate these internal and external stakeholder dialogues.”

“This will not be a short, simple, or superficial undertaking,” Dickson pledged to the QSC. “It will be robust, data-driven, and inclusive.”

In their letter to Nolan, the QSC members wrote: “to our knowledge there has been no inclusion of substantially affected communities during [the FAA’s noise policy review] process.”

QSC Seeks Answers to 10 questions

So the Quiet Skies Caucus asked FAA to respond to 10 questions posed by the Aviation-Impacted Communities Alliance. Among them are:

- How does the FAA prioritize input from ‘substantially affected’ stakeholders, including local communities when there has been no public evidence of local communities having commensurate inclusion on par with other key external stakeholders nor informed of the FAA noise policy review process since the IAA was signed over one year ago?

- Who are the ‘external stakeholders’ that have or will be interviewed in the noise policy review process and how were they selected? and

- Who is responsible for the adequate representation and inclusion of ‘substantially affected’ communities as key stakeholders?

Regarding FAA’s Interagency Agreement with the Federal Mediation and Conciliation Service, the Quiet Skies Caucus asked FAA, among other questions:

- Whether any of the deadlines for the FMCS to complete tasks outlined in the IAA have been changed and, if so, to provide an updated timeline;

- To explain how documents that the community alliance

received through a FOIA request show that 10 “deliverables” have been completed on various tasks in the IAA that the FMCS carried out but there are no written documents on how these tasks were completed.

“Flawed” Community Engagement Process

In their letter to FAA Acting Administrator Nolan, the members of the Congressional QSC wrote:

“The Aviation Impacted Communities Alliance (AICA) informed us that they had obtained a copy of the FAA/FMCS Interagency Agreement (IAA) regarding the FAA’s Noise Policy review from Aug. 4, 2022, as well as a modified FAA/FMCS IAA document entitled ‘Modification One’. They shared the agreement with us to review.

“In reviewing the IAA, we found that the FAA continues to systematically exclude aviation noise impacted communities as ‘key external stakeholders’. It is our understanding that no aviation noise impacted community’s representatives have been included in the FMCS interviews or contacted for such interviews.

“The IAA, Article 5, Task 1A, describes how the “FMCS will conduct background research on, and interviews of, key external stakeholders, key agency staff to assist FAA/AEE with identifying internal decision-makers, influencers, stakeholders, and those with responsibility for carrying out leadership direction.”

“To exclude these deeply-impacted communities highlights the flawed engagement process, which distorts all subsequent Tasks in the IAA. Through the IAA ‘Modification One’, we saw that the tasks were said to be completed without a written report and without community engagement.

“One solution to this exclusion of impacted communities would be to create an aviation noise policy advisory committee comprised of members of aviation noise impacted community groups.”

The Aviation-Impacted Communities Alliance represents 67 grassroots community groups and nine national organizations around the country whose members are directly experiencing the adverse impact of aircraft noise and emissions from FAA NextGen airspace changes and procedures that tightly focus flight paths over them.

The alliance found that it had been excluded from the external stakeholders group helping FAA review its aviation noise policy after it obtained a copy of the one-year, \$200,000 Interagency Agreement FAA struck with the FMCS on Sept. 10, 2021, through in Freedom of Information Act (FOIA) request (34 ANR 140).

As far as ANR can tell, the FAA has not yet responded to the Quiet Skies Caucus letter, which accompanied today’s e-mailed issue of ANR.

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