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Airport Noise Report



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FAA Reauthorization

SENATE AND HOUSE NEGOTIATORS REACH AGREEMENT ON NEW FAA REAUTHORIZATION

On April 29, House and Senate negotiators announced that an agreement has been reached on a final bill to reauthorize the Federal Aviation Administration (FAA) for five years.

Sen. Maria Cantwell (D-WA), chair of the Senate Commerce Committee, said the legislation prioritizes investments to strengthen aviation safety standards, enhance consumer protections, advance technology and innovation, and build a modern, well-trained, safety-centric workforce.

The 1,069-page *FAA Reauthorization Act of 2024* also addresses aircraft noise and emissions mitigation, policy, and R&D as well as implementation of Advanced Air Mobility and supersonic aircraft and their integration into the national airspace system.

The legislation includes a separate section (Subtitle C) on “Noise and Environmental Programs and Streamlining” where most of the aircraft noise and emissions provisions are located. ANR has culled out from that section and from Title X on Research and Development, the provisions that will be of interest to those focused on aircraft noise. A summary of those provisions is included in a document entitled “Noise Provisions in FAA Reauthorization Act of 2024” attached to this week’s issue of ANR. For more detailed information on those provisions, the Senate Commerce Committee has posted on its website the new FAA reauthorization bill by section and in its entirety.

This story focuses on four provisions in Subtitle C that will require FAA to clarify its existing and future noise policy policies; to implement flight procedures that can reduce community exposure to aircraft noise; to establish an Aircraft Noise Advisory Committee that will recommend changes to current FAA noise policy; and to advance its existing community engagement activities through a formal Community Collaboration Program.

These four provisions of Subtitle C are detailed below:

Sec. 786. Part 150 Noise Standards Update

This section directs the FAA, not later than one year after enactment of this Act, to review and revise its part 150 regulations on Airport Noise Compatibility Planning (in title 14, Code of Federal Regulations) to reflect all relevant laws and regulations, including its part 161 regulations in title 14 on Notice and Approval of Airport Noise and Access Restrictions.

As Part of this review, the FAA Administrator must clarify existing and future noise policies and standards and seek feedback from airports, airport users, and individuals living in the vicinity of airports and in airport-adjacent communities before implementing any changed to any noise policies or standards.

Not later than 90 days after the date of enactment, and every six months thereafter, the FAA Administrator must brief the appropriate committees of Congress regarding its Part 150 review. The briefing requirement sunsets on September 30, 2028.

Sec. 787. Reducing Community Aircraft Noise Exposure

The section states that, in implementing or revising a flight procedure, the FAA Administrator must seek to take the following actions “to the extent that such actions do not negatively affect aviation safety or efficiency” to reduce undesirable aircraft noise:

- (1) Implement flight procedures that can mitigate the impact of aircraft noise, based on a consensus community recommendation.
- (2) Work with airport sponsors and potentially impacted neighboring communities in establishing or modifying aircraft arrival and departure routes.
- (3) In collaboration with local governments, discourage local encroachment of residential or other buildings near airports that could create future aircraft noise complaints or impact airport operations or aviation safety.

Sec. 792. Aircraft Noise Advisory Committee

This section requires the FAA to establish an Aircraft Noise Advisory Committee to advise the FAA on issues facing the aviation community that are related to aircraft noise exposure and existing FAA noise policies and regulations.

The FAA Administrator must appoint the members of the Advisory Committee, which shall be comprised of at least one representative of each of the following:

- engine manufacturers;
- air carriers;
- airport owners or operators;
- aircraft manufacturers;

- advanced air mobility manufacturers or operators;
- institutions of higher education;
- the National Aeronautics and Space Administration; and
- representatives of airport-adjacent communities from geographically diverse regions.

The duties of the Advisory Committee shall include:

- (1) the evaluation of existing research on aircraft noise impacts and annoyance;
- (2) the assessment of alternative noise metrics that could be used to supplement or replace the existing Day Night Level (DNL) standard;
- (3) the evaluation of the current 65-decibel exposure threshold, including the impact to land use compatibility around airports if such threshold was lowered;
- (4) the evaluation of current noise mitigation strategies and the community engagement efforts by the FAA with respect to changes in airspace utilization, such as the integration of new entrants and usage of performance-based navigation; and
- (5) other duties determined appropriate by the Administrator.

Not later than one year after the date of establishment of the Advisory Committee, the Advisory Committee shall submit to the Administrator a report on any recommended changes to current aviation noise policies.

Not later than 180 days after the date the Administrator receives the report, the Administrator shall submit to the appropriate committees of Congress a report containing the recommendations made by the Advisory Committee.

Not later than 30 days after submission of the report, the Administrator shall brief the appropriate committees of Congress on how the Administrator plans to implement recommendations contained in the report and, for each recommendation that the Administrator does not plan to implement, the Administrator's reason for not implementing the recommendation.

Sec. 793. Community Collaboration Program

This section requires the FAA Administrator to continue existing community engagement activities under the designation of a Community Collaboration Program.

The FAA Administrator must facilitate and harmonize, as appropriate, policies and procedures carried out by various offices of the FAA pertaining to community engagement relating to:

- (A) airport planning and development;
- (B) noise and environmental policy;
- (C) NextGen implementation;
- (D) air traffic route changes;
- (E) integration of new and emerging entrants; and
- (F) other topics with respect to which community engagement is critical to program success.

In carrying out the Program, the FAA Administrator must be responsible for:

on: (A) updating the internal guidance of the FAA for community engagement based

- best practices of other Federal agencies and external organizations with expertise in community engagement;
- interviews with impacted residents; and
- recommendations solicited from individuals and local government officials in communities adversely impacted by aircraft noise;

(B) coordinating with the Air Traffic Organization on community engagement efforts related to air traffic procedure changes to ensure that impacted communities are consulted in a meaningful way;

(C) coordination with Regional Ombudsmen of the FAA;

(D) oversight, streamlining, and increasing the responsiveness of the noise complaint process of the FAA by:

- centralizing noise complaint data and improving data collection methodologies;
- ensuring such Regional Ombudsmen are consulted in local air traffic procedure development decisions; and
- collecting feedback from such Regional Ombudsmen to inform national policymaking efforts;

(E) timely implementation of the recommendations, as appropriate, made by the Comptroller General to the Secretary contained in the report titled Aircraft Noise: FAA Could Improve Outreach Through Enhanced Noise Metrics, Communication, and Support to Communities, issued in September 2021 (GAO-21-103933) to improve the outreach of the FAA to local communities impacted by aircraft noise, including any recommendations to:

(I) identify appropriate supplemental metrics for assessing noise impacts and circumstances for their use to aid in the internal assessment of the FAA of noise impacts related to proposed flight path changes;

(II) update guidance to incorporate additional tools to more clearly convey expected impacts, such as other noise metrics and visualization tools; and

(III) improve guidance to airports and communities on effectively engaging with the FAA; and any other recommendations included in the report that would assist FAA in improving outreach to communities affected by aircraft noise;

(F) ensuring engagement with local community groups as appropriate in conducting the other responsibilities described in this section; and

(G) other responsibilities as considered appropriate by the Administrator.

(c) BRIEFING – Not later than 2 years after the Administrator implements the recommendations described in subsection (E), the Administrator shall brief the appropriate committees of Congress describing:

(1) the implementation of each such recommendation;

(2) how any recommended actions are assisting the Administrator in improving outreach to communities affected by aircraft noise and other community engagement concerns; and

(3) any challenges or barriers that limit or prevent the ability of the Administrator to take such actions.

COMMUNITIES NOT ADJACENT TO AIRPORTS NOT INCLUDED ON NOISE ADVISORY COMMITTEE

ANR asked Darlene Yaplee, a founding member of the Aviation-Impacted Communities Alliance (AICA), if her organization of over 70 grass-roots community groups, many of which are beyond the 65 DNL contour and impacted by NextGen airspace changes, had input to the bill.

She said the AICA had worked with Rep. Stephen Lynch (D-MA) on H.R. 2565, a bill he introduced on April 11, 2023, that would require FAA to establish an Impacted Communities Advisory Committee to provide advice and recommendations to the FAA regarding FAA noise policy, community engagement, and mitigation of noise, pollution, and health impacts for communities both close to airports and for communities away from airports impacted by NextGen flight paths changes.

“Rep, Lynch's bill emphasized membership of individuals who have direct experience from living in areas with substantial impacts from aviation and that were not employees of FAA, airports or the aviation industry, Yaplee said.

But, she explained, Section 792 of the FAA Reauthorization Act establishes “an eight-member advisory committee of five industry, one researcher, and two ‘airport-adjacent communities’ which is ambiguous and eliminates NextGen impacted communities that are not airport-adjacent.”

“So, the good news is that there is an advisory committee focused on aircraft noise; the bad news is that the SEC.792 is informed by, but not the original intent, of communities or H.R. 2565 to adequately represent the substantially impacted community. Yet, we remain hopeful that the FAA is willing to embrace new thinking for the 21st century and fulfill its assertion of ‘engaging in dialogue and collaboration with communities affected by FAA actions’.

“Except for impacted communities, the [advisory] committee members are already well represented on the typical and weighted pro-aviation committee membership which is the hallmark of the FAA, such as the NextGen Advisory Committee (NAC), the Research, Engineering and Development Advisory Committee (REDAC), and the Advanced Aviation Advisory Committee (AAAC).

“We are grateful to Rep. Lynch for his notable support throughout the Reauthorization process and are fortunate that [the co-founder of the AICA] Cindy Christiansen is in his district and was able to engage AICA working with him and his office.”

The AICA plans to issue more extensive comments on the new FAA reauthorization after members have time to digest the bill.

NO DEFINITION OF ‘AIRPORT-ADJACENT COMMUNITIES’

ANR noticed that the term “airport-adjacent communities” is mentioned three times in the FAA reauthorization bill but is not defined anywhere in the bill.

In addition to restricting representation on the Aircraft Noise Advisory Committee that must be formed under Sec. 792 of the Act to only “airport-adjacent communities,” the bill also restricts the focus of a mandated study on ultrafine ultra-fine particulate matter required in Sec. 791 and the focus of a study of electric aircraft propulsion operations required in Sec. 1012 to “airport-adjacent communities.”

ANR asked the FAA if it used the term “airport-adjacent communities” and could define it. Does it refer to communities physically adjacent to an airport or within a certain noise contour or distance from an airport?

The agency recommended contacting the authors of the legislation, which ANR will do next week. A Google search for the term finds it used in environmental justice studies of communities near airports.

UFP STUDY

Section 791 of the FAA Reauthorization Act of 2024 requires a National Academies study to examine airborne ultrafine particles (UFP) and their effects on human health, including on susceptible individuals. Among its considerations, the study must provide recommendations on measures to reduce aviation-related emissions.

The study requires the National Academies “to examine airborne UFPs and the potential effect of such UFPs on airport-adjacent communities.”

ELECTRIC PROPULSION AIRCRAFT OPS STUDY

Section 1012 of the Act directs the GAO to initiate a study to assess the safe and scalable operation and integration of electric aircraft into the national airspace system.

The study “may consider impacts to airport-adjacent communities, including implications due to changes in airspace utilization and land use compatibility.”