

Washington N.O.I.S.E. Watch

A Publication of *National Organization to Insure a Sound Controlled Environment (NOISE)*. *NOISE, an affiliate of the National League of Cities, has served for over 38 years as America's only nationwide, community-based association composed of locally elected officials representing thousands of citizens across the United States committed to reducing the impact of aviation noise on local communities.*
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VOLUME 43, ISSUE 6
MARCH 2008

NOISE Forum a Success

Monday March 10th the **National Organization to Insure a Sound-Controlled Environment (NOISE)** held its annual legislative forum at the Hilton Washington Hotel & Towers during the National League of Cities Congressional Conference.

In addition to reports from the secretary, committee chairs, regional directors, and executive director, the forum's agenda also included debate surrounding additions to the 2008 legislative priorities as well as continuing discussion regarding many issues pertaining to aviation noise mitigation. The FAA reauthorization bill, environmental provisions relating to "General Conformity," establishing new *noise metrics*, and how **NOISE** can continue to lobby effectively on behalf of aviation noise issues were all topics of discussion.

NOISE would like to thank all those who participated in the conference and helped to make it a successful event.

NOISE Adopts Four New Legislative Priorities

Four new recommendations were adopted to the **NOISE** legislative priorities during the 2008 Spring Legislative Forum.

The proposed legislative priorities were submitted and voted upon by **NOISE** members from across the country. The following have been submitted and approved as additions to the 2008 **NOISE** legislative agenda:

1. The current method of measuring the impacts of aviation noise on individuals and communities (Day-Night Sound Levels, DNL) is woefully inadequate. **NOISE** supports a national initiative to study, define and establish new *Noise Metrics* meant to quantify the impact of a noise emission on the health and welfare of the general public.
2. **NOISE** supports the inclusion in the FAA Reauthorization bill of the provision in the House-passed version of the bill which authorizes a study on the federal responsibility for aircraft noise and emissions standards. (Section 510, of H.R. 2881)
3. **NOISE** supports the inclusion of the aircraft departure queue management pilot program. The Program Authorizes the FAA to establish a pilot program at five public-use airports to design, develop, and test new air traffic flow management technologies to better manage the flow of aircraft on the ground and reduce ground holds and idling times for aircraft. (Section 508, of H.R. 2881)

4. NOISE urges the FAA and EPA to resist changing the “General Conformity” provisions of the Clean Air Act and opposes allowing a facility-wide emission budget whereby airports would establish their own level of emissions without having to perform additional analysis, exempting short-term construction projects from analysis under the “General Conformity” regulations, omitting analysis of ultra fine particles (PM 1.0 and below), and allowing states to establish lists of actions “presumed to conform” with the Clean Air Act, thus allowing project sponsors to avoid compliance.

Each provision, being overwhelmingly approved, will be added to the 2008 **NOISE** Legislative Priorities.

FAA Reauthorization Update

Continuing disputes between commercial airlines and business aviation over who will fund the upgrades to the nation’s air traffic control system threaten to stall the reauthorization effort for the remainder of the year.

Congress continues to pass short-term extensions, the last of which will expire in late June, in order to fend off the expiration of the Federal Aviation Administration’s programs. However, Senator John Rockefeller (D-WV), Chairman of the Commerce, Science and Transportation Aviation Operations, Safety and Security Subcommittee, predicted two weeks ago that the reauthorization effort is more than likely dead for the year.

The House of Representatives has passed a four-year reauthorization bill (H.R. 2881), which includes several of the **NOISE** legislative priorities, but the Senate has not, in part due to the disagreement between the

Finance and Commerce Committees on how to restructure the FAA’s financing system.

In addition to the funding question, Rockefeller has placed blame on the inability to resolve the differences between the general aviation industry and the commercial airlines. While general aviation is resisting changes to the way the system is funded and seek to retain the current fuel tax structure, airlines are advocating a user fee system.

Beyond breaking the deadlock in the Senate, lawmakers in both chambers will have to address the issue of collective bargaining in regards to the United Parcel Service and FedEx. Language that would place FedEx Express employees under the jurisdiction of the National Labor Relations Act, which UPS is already subject to, remains in the House-passed bill. The Senate bill, however, does not contain the provision. If adopted, FedEx employees would be allowed to organize on a local basis, rather than on a national basis. Debate on the issue remains intense with many Republicans opposed to the collective bargaining statute and Democrats in favor.

Senate Approves Noise Aid

The Senate unanimously approved a measure on March 3rd, sponsored by the two California Senators, Dianne Feinstein and Barbara Boxer, designed to assist in the soundproofing of two schools near Los Angeles International Airport (LAX).

The legislation would allow the enactment of the settlement reached between the City of Los Angeles and the Lennox and Inglewood School Districts to allow the schools in those cities to use passenger facility fees for noise reduction projects. Over 10 years the fees will amount to \$111 million for the Lennox School District and \$118.5 million for the Inglewood School District.

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The bill, drafted with the assistance of the Federal Aviation Administration, has the support of the Lennox and Inglewood School Districts, the Los Angeles World Airports, and Los Angeles Mayor Antonio Villaraigosa. The bill also includes important mitigation measures while also freeing up much needed funds to soundproof the schools and build classrooms that will prevent interruptions resulting in being directly below the flight path to LAX. Included in these measures is the replacement of HVAC equipment with pollution abatement, double-paned windows, and/or sound reduction windows and doors, roofing upgrades, replacement of relocatable classrooms, and temporary housing during construction.

Companion legislation has been introduced in the House by Representatives Jane Harmon and Maxine Waters (both D-CA) and has been included in the House FAA Reauthorization bill.

Despite the overwhelming support and initial passage before the Senate, in order for the measure to be signed into law by the President it must first either pass as a stand-alone bill in the House or the Senate must pass the larger FAA bill.

NOISE commends all of the participants included in the process of noise mitigation in the LAX area and supports moving the bill forward. The diverse support of the bill, which has come from aviation interests, airports, the government, and the local school districts, provides a concrete foundation and textbook example for locally elected officials and industry stakeholders to follow while working cooperatively with local and federal government to find workable solutions to the issue of excessive airport noise.

Mark Your Calendars!

The annual **National Organization to Insure a Sound-Controlled Environment (NOISE)** will hold its **38th Annual Summer Conference and Aviation Noise Symposium** on July 16th-18th at the Embassy Suites Dulles North in Dulles, VA. The conference will host a wide variety of experts on aviation noise from across the nation and will help bring together communities leaders who are dealing with this issue. Don't miss this unique opportunity to join your fellow locally elected officials from across the United States as we gather to hear from the experts about current aviation noise issues, pending Congressional actions, and FAA objectives! Visit **aviation-noise.org** to register for this event and stay updated on future **NOISE** events and updates.

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