

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 40 years as America's only nation-wide, community based association composed of local elected officials representing millions of Americans across the country, committed to reducing the impact of aviation noise on local communities. (www.aviation-noise.org email: contact@aviation-noise.org)

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MARK YOUR CALENDERS

The Annual *N.O.I.S.E. Policy Summit/Community Involvement Workshop* will be held on **Wednesday, November 9th, 2011** in Phoenix, AZ in conjunction with the National League of Cities (NLC) Congress of Cities Exposition. N.O.I.S.E. is thrilled to be continuing its 40 year partnership with the NLC.

The Congress of Cities and Exposition brings together thousands of local elected officials from across the United States and offers a broad range of learning opportunities through cooperative dialogue and workshops for over 4,000 participants, including thousands of elected and appointed officials and stakeholders interested in implementing various programs and policy.

N.O.I.S.E. will be partnering with local community group, North Tempe Neighborhood Association to highlight aviation noise issues and experiences in and around Phoenix to ensure a unique and informational forum for all attendees.

Don't miss out on this exciting opportunity to learn about innovative strategies and to compare notes with experts and colleagues from across the United States. For additional information or to register, please contact Johnna White at (202) 544-9893 or at jewwhite@locklaw.com.

NOISE ACTION NOTES

N.O.I.S.E. participated in a number of aviation-noise related meetings this past spring, continuing out long history of working with industry stakeholders and leading officials to advance the priorities of N.O.I.S.E. and our member communities. Highlights include participation at the following events:

- i N.O.I.S.E Executive Director **Dennis McGrann** and N.O.I.S.E. Member **David Carbone** were both recently selected to be a part of a panel of industry experts on the Airport Cooperative Research Program (ACRP) Research Project: *The Aircraft Noise and Noise-induced Sleep Disturbance* and participated in ACRP's latest meeting in Washington, D.C. Monday, April 24, 2011. The Airport Cooperative Research Program (ACRP) is an industry-driven, applied research program that develops near-term, practical solutions to problems faced by airport operators. ACRP is managed by the Transportation Research Board (TRB) of the National Academies and sponsored by the Federal Aviation Administration (FAA). The research is conducted by contractors who are selected on the basis of competitive proposals.
- i N.O.I.S.E Communications Director **Johnna White** participated in the FAA sponsored event, The Aviation Noise Impacts Roadmap Annual Meeting along with the N.O.I.S.E. Secretary, the **Honorable Mary Hynes**, Arlington County, VA Board. This two-day event was held April 19-20 in Washington, DC. The purpose of the Meeting was to update and advance collective scientific knowledge of the impact of aircraft noise on society in order to address various other aspects of noise impact and optimal mitigation solutions.
- i N.O.I.S.E. National Coordinator, **Emily Tranter** presented at the 2011 Virginia Airport Operators Council (VAOC) Spring Workshop held in Staunton, Virginia on April 19th. Ms. Tranter spoke on how airports can interact with their adjacent

communities and have positive, meaningful dialogue on noise abatement and land use planning. The Virginia Airport Operators Council serves the common interest of the owners, operators and users of the 67 public use airports located throughout the State of Virginia. VAOC provides a unified voice for airport operators to State and Federal agencies, the General Assembly and the Congress of the United States of America, on proposed or pending legislation and regulations.

- i N.O.I.S.E. Executive Director, **Dennis McGrann** chaired the Federal Aviation Administration (FAA) Center of Excellence, the Partnership for AiR Transportation Noise and Emissions Reduction (PARTNER) Advisory Board meeting April 14-16th in Washington, DC. PARTNER is sponsored by the FAA, NASA, Transport Canada, the U.S. Department of Defense, and the U.S. Environmental Protection Agency. PARTNER research fosters advances in alternative fuels, emissions, noise, operations, aircraft technologies, and science and decision-making for the betterment of mobility, economy, national security, and the environment.

- i N.O.I.S.E. Executive Director, **Dennis McGrann** attended and participated the March 30th FAA Aviation Rulemaking Advisory Committee (ARAC) Executive Committee (ExCom) meeting where N.O.I.S.E. Secretary, **The Honorable Mary Hynes**, Arlington County Board Member was confirmed as an alternate board member. McGrann was appointed Assistant Chair of Noise Certification Aeronautical Technical Subject Area on the United States Department of Transportation/Federal Aviation Administration (USDOT/FAA) Rulemaking Advisory Committee in June of 2010. The Aviation Rulemaking Advisory Committee provides advice and recommendations to the FAA Administrator concerning a range of FAA's rule making activities, including air carrier operations, airman certification, aircraft certification, airports, and *noise*.

FEDERAL UPDATE

Fiscal Year 2012 Spending (Appropriations):

The FAA is currently being funded under a temporary Continuing Resolution, or "CR" (H.R. 1473), which was passed on April 15th, extending Fiscal Year 2011 spending levels. This fiscal plan extends funding through September 30th of 2011. Overall, the CR cut \$39.9 billion from 2010 levels. Specifically, funding for FAA facilities and equipment, as well as FAA research, engineering and development received cuts, while FAA operations, including air traffic organization and aviation safety activities saw their funds increase.

On April 15th, 2011 the House passed their Fiscal 2012 budget proposal, which was introduced by Budget Chairman Paul Ryan (R-WI) and proposed cuts of about \$6 trillion dollars over the next 10 years, when compared to the Obama Administration's proposal. As of print, the House has passed three of the twelve appropriations bills, including Agriculture, Military Construction & Veterans Affairs, and Homeland Security. The Transportation Appropriations measure, which funds the FAA and related agencies is scheduled for mark-up on July 14th, 2011.

As of print, that Senate has not passed their Fiscal 2012 budget, but has a tentative timeline of having a budget proposal ready by August. Although it does not yet have a discretionary spending cap for the year, Senate Appropriations Committee is preparing to slowly start moving fiscal 2012 spending bills in the latter part of June.

The Obama Administration released its proposed FY2012 budget on February 14th, 2011. Aviation priorities within the budget include \$1.24 billion for NextGen modernization, an increase of \$370 million over 2010 funding.

FAA Reauthorization: The Federal Aviation Administration (FAA) is currently operating under a temporary funding extension (H.R. 1893) set to expire on June 30th, 2011. This most recent extension marks the 19th short-term extension passed by Congress since the agency's authorization officially expired on September 30th, 2007.

On February 17th, 2011 the Senate passed a two-year, \$34.6 billion reauthorization of the FAA, *The FAA Air Transportation Modernization and Safety Improvement Act* (S.223) by a vote of 87-8. The House passed their version of the FAA reauthorization measure, *The FAA Reauthorization and Reform Act of 2011* (H.R. 658), by a vote of 223-196 on April 1st, 2011. The bill includes \$59.7 billion to be spent over a four year period, reducing FAA funding to Fiscal Year 2008 funding levels. Furthermore, of the total bill, \$12.2 billion is devoted to airport planning and development as well as noise compatibility programs.

N.O.I.S.E. strongly supports the creation of a long term reauthorization of the FAA and will be closely monitoring the bill in conference committee and will keep you updated as movement occurs.

FAA Conference Committee Update: The next step in creating reauthorization legislation will be for a conference committee, made up of members of both the Senate and House, to create and agree upon a final bill.

On April 7th, 2011 Senate leadership appointed conferees to serve as the Chamber's chief negotiators to reconcile differences between the House (H.R. 568) and Senate (S. 223) passed FAA reauthorization bills in the upcoming conference committee discussions. The Senate conferees are Senators Maria Cantwell (D-WA), Barbara Boxer (D-CA), Bill Nelson (D-FL), Johnny Isakson (R-GA), Jim DeMint (R-SC), John Rockefeller (D-WV), Kay Bailey Hutchinson (R-TX), Max Baucus (D-MT), and Orrin Hatch (R-UT). House leadership has yet to appoint its conferees.

After the House names its Conference Committee Members, lawmakers must agree upon language for a final FAA reauthorization bill. Following negotiations, both Chambers will need to approve the final bill and send it to President Obama for his signature.

There are several differences between the Senate (S. 223) and House (H.R. 658) reauthorizations that are of importance to N.O.I.S.E. and its member communities. N.O.I.S.E. staff has

engaged with Congress on a number issues to insure that the interests of our members are heard.

One important difference of note is the number of long distant nonstop flight slots to and from Ronald Reagan National Airport. While both bills increase the number of slots, the Senate bill (S. 223) contains specifications (Sec. 737) that will reduce the noise impact of these additional aircrafts, by limiting aircrafts size as well as setting specific criteria for the flights. N.O.I.S.E. supports such efforts to minimize the aviation noise at Reagan National Airport.

NOISE ADVOCACY UPDATE

N.O.I.S.E has maintained an active set of legislative priorities to represent local communities before Congress to address the issue of excessive aviation noise. N.O.I.S.E. continues to work diligently to communicate the consequences that may be borne by airport-adjacent communities who will experience increases in noise or who have not previously been exposed to aviation noise and may have no noise abatement strategies or tools in place.

In late March, N.O.I.S.E staff drafted language to House Transportation and Infrastructure Aviation Subcommittee Chairman Thomas Petri (R-WI) expressing its serious concerns with language contained within S.223.

Areas of concern included:

- Section 653, introduced by Majority Leader Harry Reid (D-NV). The section would compromise the solvency and a core principle of the Airport Improvement Program (AIP), as the program would no longer rely on the revenue generated from the disposal of noise lands purchased with federal government investment. Section 653 would negatively impact communities located adjacent to an airport that have purchased land within a city's limits using AIP noise grants.

N.O.I.S.E. enacted a vigorous campaign to members of the House of Representatives, discouraging the inclusion of a similar section in the House bill (H.R.658) and achieved success!

No similar provision was present in the House bill (H.R. 658) passed in April. N.O.I.S.E. will continue its efforts to protect AIP funding by sending letters and contacting Congress members chosen for the conference committee combining the two bills.

- Section 314 (d) of S. 223, which was offered as an amendment by Senator Maria Cantwell (D-WA). The language in the legislation would categorically exclude from environmental review any *Required Navigation Performance* (RNP) and other performance based navigation procedures that will "measurably reduce aircraft emissions and result in an absolute reduction or no net increase in noise levels" from environmental assessment. This section could allow for the increase in aviation noise to airport adjacent communities as long as noise levels are decreased in different surrounding locations.

N.O.I.S.E. contacted House Members to inform them of the dangers a similar section in the House Bill (H.R. 658) could prove to airport adjacent communities. Through this contact, N.O.I.S.E. was successful in keeping a similar harmful section from being included in the House reauthorization. Through continued contact with House and Senate members, including the conferees appointed to negotiate between the House and Senate bills, N.O.I.S.E. will work to insure that the final FAA reauthorization will not include this harmful provision.

- Section 704 of the S. 223, which was included as amendment by Senator Chuck Schumer (D-NY), would enact standards to measure helicopter noise as well as regulations to control helicopter noise pollution in residential areas. These standards must be implemented within one year and 90 days of final passage of a Federal Aviation Administration reauthorization bill.

N.O.I.S.E. believes this provision will have positive impacts on all communities that are exposed to persistent helicopter noise. We recognize the importance of federal regulations on all forms of aircraft noise and formally adopted this provision as a 2011 legislative priority.

UPCOMING EVENTS:

- i June 29, 2011: Executive Committee (EXCOM) meeting of the Aviation Rulemaking Advisory Committee (ARAC)-- Washington, D.C.
- i October 18-20, 2011: PARTNER Advisory Board meeting--Washington, D.C.
- i November 9, 2011: The 2011 N.O.I.S.E. Policy Summit/Community Involvement Workshop--Phoenix, Arizona
- i March 12, 2012: The 2012 N.O.I.S.E. Aviation Legislative Forum—Washington, DC
- i March 13, 2012: N.O.I.S.E. Lobby day— Storm Capitol Hill with N.O.I.S.E. colleagues—Washington, D.C.

NOISE will continue to work diligently on behalf of all those affected my airport and aviation noise with the Members of the Congressional Delegation on the aforementioned issues and continuously report back with updates. Please don't hesitate to contact us at (202) 544-9893 if you have any questions or if there are any areas of interest you'd like an update on that were not discussed in this article.