

Federal Aviation Administration

Memorandum

May 21, 2009
Manager, Detroit Airports District Office
Manager, Airports Division
ATTN: AGL-610 THRU: AGL-611.1 elb 5/26/09
Ernest P. Gubry, Environmental Protection Specialist
Detroit Metropolitan Wayne County Airport, Detroit, Michigan
Noise Compatibility Program (NCP) Recommendation

On March 8, 2006, the Federal Aviation Administration (FAA) determined that the Noise Exposure Maps (NEMs) for the Detroit Metropolitan Wayne County Airport, Detroit, Michigan were in compliance with the requirements of the Aviation Safety and Noise Abatement Act of 1979 and Title 14 Code of Federal Regulations, Part 150. The NCP review began on March 2, 2009. The public comment period ended on May 1, 2009. The FAA received no comments. The formal review must be completed on or before August 29, 2009.

Consultation with, and participation by airport users, Federal agencies, including the FAA, local, regional, and state planning agencies, local interest groups and individuals, helped in the development of the comprehensive program, taking into consideration all concerned interest. During the preparation of the maps and the program, numerous public information meetings were conducted. These meetings are documented in appendix J of the Part 150 study. These activities were supported by a consultant with experience in the areas of airport noise control planning and public participation.

The Detroit Airport District Office has circulated the Part 150 Noise Compatibility Program and the Draft Record of Approval to the appropriate lines of business. The coordination included: Office of Regional Counsel, Air Traffic Organization, Airport Planning and Programming Branch, Flight Standards, Air Traffic Technical Operation and Flight Procedures Office. All comments received were resolved and are reflected in the final Record of Approval.

After our review and evaluation, we have concluded that the proposed NCP is consistent with the intent of the Act and meets the standards set forth in 14 CFR Part 150.

We are pleased to forward this NCP for Detroit Metropolitan Wayne County Airport for your consideration. We request the appropriate approval for the submitted materials.

Matthew J. Thys

Attachment

FEDERAL AVIATION ADMINISTRATION

RECORD OF APPROVAL

14 CFR PART 150 NOISE COMPATIBILITY PROGRAM

DETROIT METROPOLITAN WAYNE COUNTY AIRPORT

DETROIT, MICHIGAN

Concur

Detroit Airports District Office Manager

Date

Nonconcur

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Great Lakes Region Office of Regional Counsel **Environmental Attorney**

Concur

Nonconcur

Great Lakes Region Airports Division Manager

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Date

Approve

Disapprove

RECORD OF APPROVAL DETROIT METROPOLITAN WAYNE COUNTY AIRPORT NOISE COMPATIBILITY PROGRAM

INTRODUCTION

The Noise Compatibility Program (NCP) for Detroit Metropolitan Wayne County Airport (DTW) includes measures to reduce aircraft noise, control land development, mitigate the impact of noise on non-compatible land uses, carry out and update the program. Title 14 Code of Federal Regulations (CFR) Part 150 requires the Noise Exposure Maps (NEM) associated with the NCP apply to a period of no less than five years into the future. However, the NCP may apply to a longer period if the sponsor so desires. The airport sponsor will apply the program measures to the 2004 NEM (Figure D-25). This represents existing conditions (2009) at the airport and it covers a larger area for potential mitigation. When the NEMs do not represent the airport's noise environment, Title 14 CFR Part 150 requires the airport sponsor to update the NEMs. This occurs when there is a significant increase or decrease in noise over incompatible land uses (§150.21(d)).

The objective of the noise compatibility planning is to improve the compatibility between aircraft operations and noise-sensitive land uses in the area, while allowing the airport to continue to serve its role in the community, state, and nation. The airport sponsor recommends the Federal Aviation Administration (FAA) approve these actions. The approvals indicate only the actions would, if carried out, be consistent with the purposes of Part 150. These approvals do not constitute decisions to implement the actions. Subsequent decisions concerning possible implementation of these actions may be subject to applicable environmental procedures, aeronautical study, or other requirements.

The program elements below summarize the airport operator's recommendations in the noise compatibility program. They are cross-referenced to the program. The statements contained within the summarized program elements and before the indicated FAA approval, disapproval, or other determination, do not represent the opinions or decisions of the FAA.

The Airport sponsor has certified the existing conditions shown in the 2004 NEM and the future 2011 NEM that were presented at the public hearing. The Airport sponsor has further certified the conditions depicted for 2004 are representative of 2009, the year of this submittal and the year 2011 is still representative of that year. The FAA accepted these maps on March 8, 2006.

PROGRAM ELEMENTS

Section I of the Part 150 Update contains a summary of the recommended program elements. Many of the program elements continue the existing NCP, approved in 1993. Where noted, the new recommendations are revisions or updates of existing measures.

The complete 1993 Record of Approval (ROA) of the existing program, referenced above is in the Appendix of the document.

NOISE ABATEMENT/AIRCRAFT OPERATIONAL RECOMMENDATIONS

Recommendation 1 – Ground Run-up Procedures. See page I-9 and I-10. This recommendation would move existing run-up locations to a more centralized location on the Airport until construction of a Ground Run-up Enclosure is complete (see recommendation 2). The recommendation would provide for an improved description of where and how each run-up can occur and then provide a means of tracking the compliance with these procedures. The proposed run-up locations are similar to the existing run-up locations, with one new position closer to the center of the Airport. This new location is closer to the center and south end of the Airport, where nearby population densities are lower. The loudest aircraft types that perform a full power run-up would use this location. Pages I.9 – I.10 of the NCP provide more detail on this recommendation. The new location would reduce the number of people exposed to ground run-up associated noise, with an approximate 38% in population exposed to the 70 dBA.

FAA Determination: Approved.

Recommendation 2 – Construct Ground Run-up Enclosure. See page I-11 and I-12. This recommendation is to build a ground run-up enclosure for use by all aircraft during maintenance operations. The Airport will build the facility and require all operators to use it. Such a facility could achieve 100% reduction in population exposed to 70 dBA. Pages I.11 – I.12 of the NCP provide more detail on this recommendation.

The final location will undergo an FAA airspace study to ensure the location meets all FAA airport design standards, does not create a line of site issue and will not increase the likelihood of a runway incursion.

FAA Determination: Approved.

<u>Recommendation 3 – Work with the FAA to Develop FMS Procedures to</u> <u>Concentrate a Portion of South Turning Aircraft and Fan others For Runway 4R</u>

Departures. See pages Page I-13 to I-15. This recommendation will locate some flight paths over predominately-compatible land uses, concentrate those paths, and spread the rest of the paths that fly over non-compatible land uses. The Airport Authority would work the FAA Air Traffic Control to develop and use satellite-based navigation technologies to fly multiple headings using a combination of procedures to concentrate noise in some areas, and disperse in others for departures on Runway 4R. The headings used would correspond with the different routes that aircraft fly as they depart the Detroit airspace. Departures to locations to the north, east, and northwest would be fanned between 350 and 035 degrees, while south-bound aircraft from Runway 4R would be turned sooner that the existing flight patterns. Paths designed to concentrate noise would be developed and used to stay on course to the west and then to the south. The general

corridor proposed to concentrate noise would follow a path along Michigan Avenue and the turning southward at a point north of Willow Run Airport.

This recommendation requires the development and successful implementation of satellite-based procedures. The NCP identifies conventional flight tracks in an attempt to achieve the goals noted above and to serve aircraft not equipped with satellite based FMS type technology. However, conventional tracks cannot represent the numerous course corrections that would be necessary to achieve the flight tracks shown in the graphic. Therefore, the conventional tracks would only be precise within about 5 miles of the airfield. Coordination of the final tracks would be required. Pages I.13 - I.15 of the NCP provide more detail on this recommendation.

Air Traffic will assign these aircraft a heading or path that provides appropriate divergence from the jet departure corridor, when operationally necessary during periods of peak traffic. Accordingly, Air Traffic will determine the operational circumstances for the use of this measure.

FAA Determination: No action required at this time. This measure relates to the use of flight procedures under 49 U.S.C. 47504(b). Additional analysis and communication between the airport operator, the FAA's Air Traffic Organization and the local Airport Traffic Control Tower is required. Analysis and communication will consider the feasibility, aviation safety and efficiency aspects of the proposal, its potential environmental impacts, and demonstrate whether the measure would provide an overall noise benefit. If implemented, it will be voluntary for purposes of Part 150, subject to wind, weather, efficiency, and safety.

<u>Recommendation 4 – Work With the FAA to Develop FMS Procedures to</u> Concentrate a Portion of South Turning Aircraft and Fan Others from Runway 3L

Departures. See page I-16 and I-17. With this recommendation, aircraft bound for northern, western, and eastern locations would follow existing flight tracks using dispersion procedures. Southbound aircraft would depart Runway 3L and fly runway heading for one mile past the departure end of the runway, then turn eastward on a satellite-based heading designed to follow the I-94 freeway corridor and the rail line corridor. At approximately eight miles form the Airport, aircraft would turn south. The Airport Authority would work with the FAA to develop FMS procedures that would concentrate a portion of the south turning departures only, instead of concentrating all departures. Aircraft would use satellite-based navigation technologies to fly multiple heading using a combination of concentrated and dispersed tracks. Aircraft flying to north, east and west destinations would fly along the same paths as they do today, using dispersed flight procedures. Pages I.16 – I.17 of the NCP provide more detail on this recommendation.

Air Traffic will assign these aircraft a heading or track that provides necessary separation and efficiency when wind, traffic, weather and safety allow. Therefore, Air Traffic will determine the operational circumstances for the use of this measure.

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FAA Determination: No action required at this time. This measure relates to the use of flight procedures under 49 U.S.C. 47504(b). Additional analysis and communication between the airport operator, the FAA's Air Traffic Organization and the local Airport Traffic Control Tower is required. Analysis and communication will consider the feasibility, aviation safety and efficiency aspects of the proposal, its potential environmental impacts, and demonstrate whether the measure would provide an overall noise benefit. If implemented, it will be voluntary for purposes of Part 150, subject to wind, weather, efficiency, and safety.

Recommendation 5 – Work with FAA to Develop FMS Procedures to Concentrate Departures While in South Flow. See page I-18 and I-19. With this recommendation, aircraft bound for eastern locations departing on Runway 21R would fly runway heading to at least one-half mile past the end of the runway before commencing any turns to the east. Current procedures have some early turns flying near or over the southeastern portions of Romulus. Aircraft departing on Runway 2L to southern destinations would use a 190-degree heading to avoid overlying New Boston. Aircraft departing from Runway 22L to western or northern destinations would turn westward over a wide range of possible headings; assigned based on destination, required aircraft separation, and ATC work load. Aircraft flying to northern destinations would fly the northern portion of the existing turn on a heading of 240 degrees. Aircraft flying to western destinations would fly the southern portion of the existing turn on an initial heading of 240 degrees. The goal of the procedure would be to have all turns completed before reaching New Boston. The Authority would work with FAA to develop FMS procedures that would concentrate departures while in south flow. This procedure would take the existing Instrument Flight Rule procedures and translate into satellite-based navigation to enable greater concentration along the existing tracks. Aircraft would fly the same tracks as they do today. Modern navigational technology would reduce over flights of the more densely populated areas to the south by reducing drift. Pages I.18-I.19 of the NCP provides more detail on this recommendation.

This recommendation requires the development and successful implementation of satellite-based procedures. The NCP identifies conventional flight tracks in an attempt to achieve the goals noted above. This description is based on "old technology" that would be update once satellite-based procedures are in place and are functioning properly. The NCP provides preliminary definition of the recommended tracks. These would be refined in coordination with the FAA to achieve the objectives noted earlier.

Air traffic will assign these routes or tracks when appropriate and when air traffic determines that wind, weather and safety allow.

FAA Determination: No action required at this time. This measure relates to the use of flight procedures under 49 U.S.C. 47504(b). Additional analysis and communication between the airport operator, the FAA's Air Traffic Organization and the local Airport Traffic Control Tower is required. Analysis and

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communication will consider the feasibility, aviation safety and efficiency aspects of the proposal, its potential environmental impacts, and demonstrate whether the measure would provide an overall noise benefit. If implemented, it will be voluntary for purposes of Part 150, subject to wind, weather, efficiency, and safety.

Recommendation 6 – Extend Hours of Contraflow at Night. See page I-20 and I-21. This recommendation would increase the hours of **voluntary** contraflow (land from the south, take-off to the south) operations at night when operationally feasible, from 11:00 pm to 6:00 am. From midnight until 6:00 am, contra-flow is used. FAA has stated that it is willing to consider extending contra-flow to begin at 2330, but no earlier due to the amount of late night arrival traffic that flows in around 2300. This procedure allows for reducing nighttime flights over the densely populated areas north of the Airport. Pages I.20-I.21 of the NCP provides more detail on this recommendation.

This recommendation may be possible during times of low traffic and subject to wind, weather, safety and air traffic efficiency. Thus, Air Traffic will determine the times and traffic demand periods during which this procedure could be utilized.

FAA Determination: Approved as voluntary (starting no earlier than 2330) for purposes of Part 150, subject to wind, weather, efficiency, and safety.

Recommendation 7 – Implement Continuous Descent Approach, When Practicable. See pages I-2 to I-23. This recommendation is to implement a continuous descent approach (CDA) when feasible, which is an approach procedure that allows aircraft to approach and land at an airport with minimal changes in engine power/thrust. During a CDA approach, aircraft are not leveled-out; rather aircraft gradually descend from high altitude to reach the 3-degree glide slope. The recommendation is for the Airport Authority to work with the FAA and the airlines to develop, implement, and use CDA type approaches during lower activity periods. This type of approach could result in a 3 to 6 dB reduction in single event noise under the flight path. Pages I.2 –I.23 of the NCP provide more detail on the recommendation.

Due to local air traffic and airspace considerations, this measure may only be implemented when traffic conditions permit, as determined by Air Traffic.

FAA Determination: Approved for Additional Study. This measure relates to the use of flight procedures under 49 U.S.C. 47504(b). Additional analysis and communication between the airport operator, the FAA's Air Traffic Organization and the local Airport Traffic Control Tower is required. Analysis and communication will consider the feasibility, aviation safety and efficiency aspects of the proposal, its potential environmental impacts, and demonstrate whether the measure would provide an overall noise benefit.

<u>Recommendation 8 – Continue to Study the Feasibility of an Extension to Runway</u> <u>3L/21R to Reduce Noise.</u> See page I-24 and I-25. This recommendation calls for the continuation of evaluating the feasibility of an extension to Runway 3L/21R to reduce noise, taking into consideration operational and economic costs associated with such an extension. At the beginning of this Part 150 an extension of the runway to the south was shown on the approved Airport Layout Plan and identified to be implemented within the life of this Study. However, subsequent to the initiation of this Study, an update to the Airport Master Plan was undertaken. The final Master Plan was submitted to the FAA after the part 150 study was completed and the extension has been identified on a different runway and in a time period beyond the life of this Study. Therefore, the sponsors planning studies no longer support this recommendation. Pages I.24 – I.25 of the NCP provide more detail on this recommendation. At the time of the update to the noise study, it may be appropriate to revisit the feasibility of the proposed extension for noise purposes.

FAA Determination: Disapproved for purposes of Part 150 as the airport sponsor's Master Plan does not support this project.

Recommendation 9 – Develop Noise Abatement Procedures for Use During Runway <u>Maintenance Operations.</u> See Page I-26 and I-27. This recommendation would result in the development of noise abatement procedures for runway/airfield maintenance that involves; establishment of a runway usage program specific to runway / airfield maintenance activities, and the development of a Community Outreach Program to raise awareness of temporary changes in noise exposure occurring because of such activities. Pages I.26 – I.27 of the NCP provide more detail of this recommendation.

The use of this measure has the potential to reduce aircraft noise levels during facility maintenance and provide community outreach to the affected communities. There could be several extended periods of changes in normal operations due to maintenance in the new few years.

FAA Determination: Approved as Local Measure.

Recommendation 10 – Continue to Study the Feasibility of Implementing Displaced Thresholds on Runways 21L and 22R to Reduce Noise. See page I.28 and I.29. This recommendation calls for the continuation of evaluating the feasibility of implementing displaced thresholds to reduce noise, taking into consideration operational and economic costs associated with such an action. Although displaced thresholds are not normally considered economically feasible except in the case of avoid obstructions, a displaced threshold could result in aircraft arriving over residential areas at a higher altitude. Subsequent to the initiation of this Study, an update to the Airport Master Plan was undertaken. The final Master Plan was submitted to the FAA after the part 150 study was completed and displaced Thresholds were not recommended. Therefore, the sponsors planning studies no longer support this recommendation. Pages I.28 – I.29 of the NCP provide more detail on this recommendation. FAA Determination: Disapproved for purposes of Part 150 as the airport sponsor's Master Plan no longer supports this project.

LAND USE COMPATIBILITY RECOMMENDATIONS

Recommendation 11 - Voluntary Acquisition of Residential Units within 70 DNL.

See page I.29 and I.30. Recommendation would provide for the voluntarily acquisition of homes within the 70 DNL noise contour. This is a continuation of the current land acquisition program (Land Use Action 10 of the 1993 program). There are approximately three homes along Merriman Road south of Ecorse Road that are either in the 70 DNL or adjacent to the 70 DNL noise contour. These are isolated homes that are not within a subdivision or other residential development areas. The property will be sold for compatible development after the homes are removed. This is an expansion a Land Use Measure in the 1993 Record of Approval. Pages I.29 – I.30 of the NCP provide more detail on this recommendation.

FAA Determination: Approved.

Recommendation 12 – Require Buyer Notification Within the 60 DNL. See pages I.31 and I.32. This recommendation would provide direct notice to prospective homebuyers that the home they are considering may be subject to aircraft noise intrusion. Many new homebuyers are not aware of the nearness of the airport to the home they are considering. Such a notice on the plat or deed would require the local jurisdiction to adopt and implement because the Authority does not have land use control authority. The Airport Authority would work with the surrounding communities to require notice of the noise to be place on subdivision plats or deeds for each individual lot. Such notice would be recorded on the deed and is identified in a title opinion or title insurance report. This action would continue the previous measure Land Use Action 14 approved in the1993 Record of Approval. This is an expansion and continuation of Land Use Measure 14e of the 1993 Record of Approval. Pages I.31–I.32 of the NCP provides more detail on this recommendation.

Outside the 65 DNL, FAA encourages a local effort to prevent new non-compatible development immediately abutting the 65 DNL and to provide a buffer for possible growth in noise contours beyond the forecast period. The Federal government has no authority to control local land use; the local government has the authority to implement this measure.

FAA Determination: Approved as local measure.

Recommendation 13 – Work With Communities to Update Comprehensive Plans to Discourage Noise Sensitive Uses Within the 65 DNL. See Pages I.33 and I.34. All of the communities surrounding the Airport have adopted comprehensive plans. The communities update these plans as conditions change. The Airport Authority would work with the communities to ensure that the plans do not recommend the introduction or continuation of non-compatible land uses within the 65 NL noise contour. There is concern about developing vacant property within the 65 DNL into non-compatible land uses. This is a continuation of Land Use Measure 15 of the 1993 Record of Approval. Pages I.33 - I.34 of the NCP provide more detail on this recommendation.

The Federal government has no authority to control local land use; the local government has the authority to implement this measure. Approval of this measure does not commit the FAA to future Federal funding assistance.

FAA Determination: Approved as local measure.

Recommendation 14 – Work with Communities to Update Zoning Ordinances to Prohibit Noise Sensitive Uses Within the 65 DNL. See Pages I.35 and I.36. All the communities surrounding the Airport have adopted zoning ordinances, which are updated periodically as conditions change. Most of the property within the 65 DNL is zoned for non-residential uses. However, zoning is a creation of the political body and can be changed through the political process. In addition, one of the dilemmas of modern planning and zoning is to incorporate high-density residential development in commercial, retail and industrial zones. While most of an area may be non-residential, introducing residential units can result in noise concerns that were not as prevalent with non-residential uses. The Airport Authority will work with the communities to either amend zoning ordinances to prohibit such uses or continue to utilize those ordinances, which do prohibit such development. This is a continuation of Land Use Measure 14b of the 1993 Record of Approval. Pages I.35-I.36 of the NCP provides more detail on this recommendation.

The Federal government has no authority to control local land use; the local government has the authority to implement this measure. Approval of this measure does not commit the FAA to future Federal funding assistance.

FAA Determination: Approved as local measure.

Recommendation 15 – Work With Communities to Update Building Codes to Require Sound Attenuation of New Residences Within the 65 DNL. See pages I.37 and I.38. This recommendation would amend building code requirements to include sound attenuation standards for any new construction of noise sensitive uses within the 65 DNL contour. The action would not address existing residences, but would prevent future incompatibilities by requiring noise reduction or sound attenuation for new construction. Prior to building permit or plat approval, noise sensitive uses would be required, through construction techniques, to achieve a 30 dB noise reduction between outside noise levels and inside noise levels. This is a continuation of Land Use Measure 14a of the 1993 Record of Approval. Pages I.37 – I.38 of the NCP provides more detail on this recommendation. The Federal government has no authority to control local land use; the local government has the authority to implement this measure. Approval of this measure does not commit the FAA to future Federal funding assistance.

FAA Determination: Approved as local measure.

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Recommendation 16 – If Federal Funds Become Available at Reasonable Exchange, Sound Insulate Residential Units Within the 60 DNL. See Pages I.39 and I.40. Currently FAA funding for residential units beyond the 65 DNL is not as readily available as funds are for insulating residential units within the 65 DNL. There is some discussion that such funds will be more readily available at the same levels that funds are available within the 65 DNL. If such funds become available, then the Airport Authority would insulate those residential uses in the same manner and extent that they have traditionally done for house in the 65 DNL. Page I.39 – I.40 of the NCP provide more detail on this recommendation.

FAA Determination: Disapproved pending additional study and coordination. The airport sponsor has adopted the Federal guidelines published at Table 1 in 14 CFR Part 150. Federal guidelines state that land uses located at less than the DNL 65 dB noise level are compatible with airport operations. The NCP does not show that local jurisdictions have established standards that differ from the Federal guidelines. The Airport will need to develop a current 60 DNL noise map and the local communities will need to adopt the 60 DNL as their noise standard for non-compatible land uses. After this has occurred, the airport sponsor may submit the revised study to the FAA for determination of whether it meets the requirements of the Part 150 program.

ADMINISTRATIVE/NOISE PROGRAM RECOMMENDATIONS

Recommendation 17 – Install Aircraft Flight Track/Noise Monitoring System. See pages I.41 and I.42. This recommendation would install an Aircraft Flight Track/Noise Monitoring System to improve the ability to monitor flights, respond to the public in a timely manner, and develop a Fly Quiet Program (see Recommendation 19). The system would provide the necessary automation to develop regular reports or monitor aircraft compliance with noise abatement procedures. A key component of the upgrade will be the ability for the public to view flight tracks via the Internet. Pages I.41 – I.42 of the NCP provide more detail on this recommendation.

For purposes of aviation safety, this approval does not extend to the use of monitoring equipment for enforcement purposes by in-situ measurement of any preset noise thresholds. The airport shall not use this system for mandatory enforcement of any voluntary measure.

FAA Determination: Approved.

Recommendation 18 – Follow-up Noise Advisory Committee. See pages I.43 and I.44. This recommendation calls for establishing a follow-up noise advisory committee, with a balanced representation of airlines, local government, Airport Authority, FAA, and citizen stakeholders to assist and provide continuing guidance in implementing the study recommendations. This committee will utilize knowledge developed through the Part 150 Study and help build the partnerships needed to implement these measures. Pages I.43 – I.44 of the NCP provide more detail on this recommendation.

FAA Determination: Approved.

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Recommendation 19 – Fly Quiet Program. See Pages I.45 to I.47. This recommendation calls for the development and implementation of a Fly Quiet Program at DTW. This recommendation will provide a regular report card to the public explaining how the airlines are doing in following noise procedures. It can also act as a positive incentive to reward the airlines for good performance. The noise advisory committee will develop specific parameters to be included in the reports. Implementation of this program is dependent on Recommendation 17 above. Pages I.45 – I.47 of the NCP provides more detail on this recommendation.

FAA Determination: Approved for study. The development of a Fly Quiet Program is approved for study. This approval does not extend to implementation of the Fly Quiet Program. Once the Fly Quiet Program has been developed, the airport sponsor may submit it to FAA for a determination of whether the Fly Quiet Program measures meet the requirements of the Part 150 regulation.

<u>Recommendation 20 – Subsequent Part 150 Updates.</u> See Page I.48. This recommendation calls for the review and update the Part 150 Study as needed to reflect changes in the noise environment. A Part 150 study is a "snapshot" in time to look at the noise conditions produced by the current fleet mix and level of operations and the five-year forecast levels. Federal regulations require a new study be completed if there is a significant increase or decrease in noise levels resulting from changes at the airport. Page I.48 of the NCP provide more detail on this recommendation.

If made necessary by NEM changes, an update to the NCP would address requirements of 150.23(e)(9). Section 150.21(d), as amended, states that the NEM shall be updated either if there is a substantial new noncompatible use within the DNL 65 dB contour, or if there is a significant reduction in noise over existing noncompatible land uses.

FAA Determination: Approved.