



CITY OF NEWPORT BEACH

100 Civic Center Drive
Newport Beach, California 92660
949 644-3004 | 949 644-3039 FAX
newportbeachca.gov

Mayor

Brad Avery

Mayor Pro Tem

Kevin Muldoon

Council Members

Noah Blom

Joy Brenner

Diane Brooks Dixon

Marshall "Duffy" Duffield

Will O'Neill

April 14, 2021

Federal Aviation Administration
Docket Operations, M-30
U.S. Department of Transportation (DOT)
1200 New Jersey Ave SE, Room W12-140
West Building Ground Floor
Washington, D.C. 20590-0001

RE: Docket No. FAA-2021-0037: Overview of FAA Aircraft Noise Policy and Research Efforts: Request for Input on Research Activities to Inform Aircraft Noise Policy

To Whom it May Concern:

The City of Newport Beach, California (City), appreciates the opportunity to provide comments on the Federal Aviation Administration's (FAA) sponsored research programs on civil aircraft noise that could potentially inform future aircraft noise policy.

The City is adjacent to Orange County's John Wayne Airport (KSNA) and as such, nearly all of the airport's commercial and general aviation jet operations depart directly over a large section of our community, Newport Bay, and the 500-acre Upper Newport Bay Ecological Preserve. For more than 35 years, the City has worked with aviation-focused community groups and the County of Orange, the airport's owner, to mitigate the noise impacts of KSNA's overflights. We thank the FAA for its efforts to solicit and consider input on its research activities from individuals and communities and welcome more opportunities to work with the FAA as it endeavors to further its understanding of the effects of aircraft noise exposure on communities and develop related policies.

The findings of the recently completed Neighborhood Environmental Survey (NES) support what our community and many others know well – there is, indeed, a marked increase in the percentage of people highly annoyed over aircraft noise levels. The FAA requested input on what could be contributing to the increase and the City suggests the following.

As discussed in the “Overview of FAA Aircraft Noise Policy and Research Efforts...,” current FAA noise policy is based on the *Shultz Curve*, a tool developed in the 1970s and last updated in 1992. The *Shultz Curve* was developed and updated based on now decades-old social survey data, and the City believes the methodology failed to keep pace with the growth and changes in the aviation industry, and federal noise policy and practices. We agree that it is no longer the right tool for the job.

It is important to also acknowledge and consider the changes to the environment in which we are now living and working. The growth in air traffic over the past four decades – according to FAA data, commercial enplanements increased more than 350 percent over the period - has gradually and greatly impacted the quality of life in communities surrounding airports. We cannot ignore the overall impact of busier skies on individuals and communities.

And while it is true that new commercial aircraft are much quieter today than they were 20 to 30 years ago, and communities like ours welcome the quieter, less polluting next generation engine technology to the skies, there was (pre-COVID restrictions) and will be (post-COVID restrictions) a significant amount of air traffic, generating a significant amount of noise, for communities in close proximity to airports.

Further, changes to FAA programs have also led to increased annoyance levels. Our community’s noise concerns were only deepened with the introduction of Nextgen. The program’s implementation, including the Southern California Metroplex and Performance Based Navigation, brought about the modernization of the air traffic control system, enhanced aircraft navigational capabilities, and it served to increase the safety, efficiency and capacity of the national airspace. Increased efficiency and capacity are certainly good for air carriers, airports and passengers, but concerning to the communities that bear the impact of any related increases in air traffic. Further, the program also moved or concentrated flight paths, further intensifying the noise impacts for those who dwell or work directly under airport arrival or departure corridors. While these changes resulted in fewer areas being directly overflown, giving some relief to certain neighborhoods, they didn’t eliminate aircraft noise and the impacts to those on the ground.

Which brings us into the discussion over the FAA’s long-term reliance on using the DNL metric and a DNL of 65 dB as its policy goal for reducing the number of individuals exposed to significant aircraft noise and for establishing the level of aircraft noise exposure below which noise impacts associated with FAA activities in residential areas are not considered significant under the National Environmental Policy Act. This must change as it is well understood, and the NES findings support, that annoyance is not limited to those living or working within the 65+ dB DNL (or CNEL here in California) noise contours. The City hears and supports the reasoning of those that wish to change the 65 dB DNL policy goal. We believe the FAA has enough information now to initiate discussions with all stakeholders on updating these critical, underlying policies.

In this context, the City supports the FAA pursuing a combination of short- and longer-term research and policy objectives. Our recommendations are to:

1. **Thoroughly investigate and mitigate the public health and economic impacts of aviation noise on impacted communities.** Act promptly on existing and completed research. Formally review the research completed to date and determine possible policy or significance criteria based upon it.
2. **Continue Development of and the Use of Alternative Metrics to More Fully Understand Noise Exposure.** While California uses CNEL, an improvement over DNL, there remains a strong need to identify and implement additional metrics that take into account the physiological, psychological and economic impacts of concentrated noise and extended periods of noise. The City understands that identifying and implementing new metrics to measure noise impact is an enormous undertaking, but we believe it is essential for the FAA to move forward in developing effective federal noise mitigation and abatement policy.
3. **Continue to Develop Solutions for Reducing noise at the Source.** The City supports the FAA's development of a "menu" of solutions that can be tailored to address the specific needs of individuals residing near airports.
 - a. The City concurs with the FAA's observation that the phased transition to quieter aircraft is the most influential factor in lessening noise exposure and we vigorously support any and all programs to develop noise reduction technologies and incentives for manufacturers and carriers to incorporate these latest technologies into their products and fleets.
 - b. The City supports the establishment of new industry goals for noise reduction.
 - a. The City strongly encourages the FAA to continue to investigate, identify and propose means to abate noise through safe and managed changes in aircraft operations. The FAA should work with aircraft/engine manufacturers and air carriers to develop and implement the safest and least noise producing arrival and departure procedures.
4. **Further Involve Impacted Communities in Developing Solutions.** This must begin with the furthering of internal FAA policies on how it approaches external communication, and the moving of its organizational culture toward actively seeking and valuing community input. Further, there must be an avenue beyond roundtables where communities that are not seeking to shift noise onto others, can work with the FAA on specific, local noise reduction strategies. To that end, the City seeks an expansion of the duties of the regional ombudsman/community engagement officer positions to allow problem-solving, solution-seeking conversations with communities and their local airports outside of formal roundtables.

Moving forward, it is essential for the FAA to expand its efforts to recognize communities as stakeholders in aviation noise matters and adequately engage us in policy discussions. Collectively, we can find constructive, meaningful solutions at the national and local level.

Sincerely,

A handwritten signature in cursive script that reads "Diane B. Dixon". The signature is written in black ink and is positioned below the word "Sincerely,".

Diane B. Dixon
City Council Member
Chair, Newport Beach Aviation Committee